100 DOCUMENTS

A Reference Book



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Compiled by:-

Kul Bhushan Mohtra

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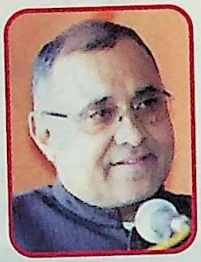
ABOUT BOOK

In most spheres of life, the future is linked with the past. In other words, the past can be a guide to build tomorrow.

The Author has endeavoured in this manuscript to complete analyse the historical documents and writings on various developments in J&K from past to present. It is ardently believed that this book can be a good reference book for generations to come who will gain an insight about J&K.

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and Documentation Department
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FOREWORD

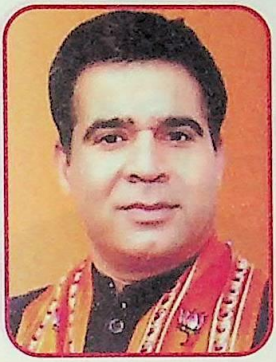
I have the pleasure of going through the book captioned 100 Documents, a Reference Book Jammu & Kashmir compiled by Sh. Kul Bhushan Mohtra, Incharge Nana Ji Desmukh Library & Documentation Department Bharatiya Janata Party, Jammu & Kashmir.

This book contains historical, political, legal and other social Aspects which appear to be the best piece of literary art, a substantial contribution of compiler for the benefit of the society, in particular, the young generation. The compiler seems to have worked really hard in collecting the material to enlighten various features of political interests, has also made his original contribution in expressing his well guided opinion. I am sure, not only young generation, particularly the students but even the politicians of today will surely derive maximum benefit from this while steering their social activities towards establishing the rule of law, which is very much needed today in view of the tremendous changes that has taken place in the country, more particularly in the State of Jammu & Kashmir.

The substantive & intrinsic compilation of the historical Documents on various developments in the state speaks volume about the hard work put in by Kul Bhushan Mohtra and his team.

Avinash Rai Khanna
BJP National Vice-President
& Prabhari, J&K, BJP

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MESSAGE

I am highly impressed with the publication of a book captioned 100 Documents, a Reference Book on Jammu & Kashmir being compiled by Sh. Kul Bhushan Mohtra, State Incharge Nana Ji Desmukh Library & Documentation Department, Bharatiya Janata Party, Jammu & Kashmir. It is a most valuable compilation, which covers the political, historical, legal and social fields.

This book will also add one more feather in the Party's Library and provide information on vast subjects under one roof and the readers can get benefit of the study material available in simple and descent language. It is also an asset for Nana Ji Desmukh Library of the Party.

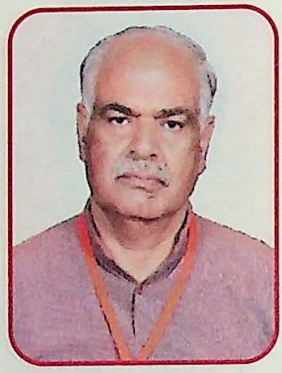
I am sure it will serve the purpose of providing proper information to the readers worldwide.

I congratulate & appreciate Sh. Kul Bhushan Mohtra for these efforts in bringing out the historical facts in a book.

जय हिन्द ! जय भारत
वन्दे मातरम

Ravinder Raina
State President BJP
Jammu & Kashmir

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MESSAGE

The book titled 100 Documents a reference book on Jammu & Kashmir compiled by Sh. Kul Bhushan Mohtra, Incharge Nana Ji Desmukh Library & Documentaion Department, Bharatiya Janata Party, Jammu & Kashmir, is indeed an outcome of hard work put by him.

It is really a collection of historical documents, which would, prove to be beneficial for those who want to go through the pages of History of J&K state at an accessible place.

I am myself feeling pride that the senior activist, who is devoting time and utilizing his energy for preparing such documents, will serve the society in matters related to historical history and politics of J&K

I convey my heartiest greetings to Sh. Kul Bhushan Mohtra for his efforts in bringing out this book.

Ashok Kaul
BJP State General Secretary (Org.)

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Dr. JITENDRA SINGH
Minister of State (Independent Chagre),
Ministry of Development of North Eastern Region,
Minister of State, Prime Minister's Office,
Ministry of Personnel, Public Grievances and Pensions,
Department of Atomic Energy and Departemtn of Space,
Government of India

MESSAGE

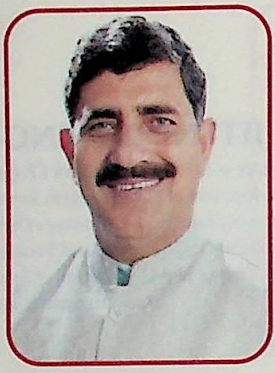
Shri Kul Bhushan Mohtra, Jammu & Kashmir State in-charge of BJP's "Nana Ji Deshmukh Library and Documentation Department", has diligently brought out a compilation of important J&K related write-ups by different authors and historians.

He deserves to be congratulated for this valuable collection of over 100 documents, which will serve as a valuable reference book for future historians, researchers and scholars dealing with Jammu & Kashmir.

I am sure, this compilation will also help in setting the record straight about several aspects related to Jammu & Kashmir, for which a number of contradictory versions have appeared from time to time.

Dr. Jitender Singh

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सत्यमेव जयते

JUGAL KISHORE SHARMA

Member of Paliament
Lok Sabha- Jammu
Jammu & Kashmir

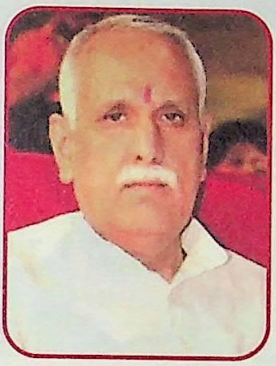
MESSAGE

Nanaji Deshmukh Library under its Incharge Kul Bhushan Mohtra has come out with one more book tilted "100 Documents a reference book of J&K", which will prove to be beneficial for the people, particularly the young generation. The readers will get a change to go through the historical, political and social developments in the state of Jammu and Kashmir.

While extending my greetings on publication of this book, I am sure that the author would continue to put more efforts and come out with more such printed material in the shape of books. I am also feeling honoured to get an opportunity to write few lines as message for the book.

Jugal Kishore Sharma

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MESSAGE

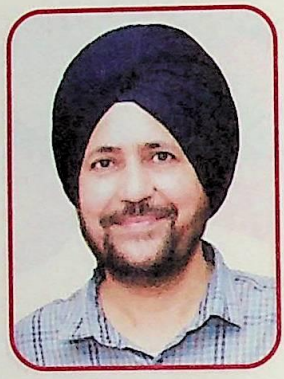
It gives me immense pleasure to express my Heartuest Congratulations to Sh. Nana Ji Deshmukh Library Bhartiya Janata Party's State office "Shyama Prasasd Mukherjee Bhawan" Trikunta Nagar Jammu for compiling such an informative Book Titled "100 Documents" pertaining to the Historical, Social, Legal and Political happenings of Jammu & Kashmir state, in such a dccorative manner.

While going through the contents of the book, I peronally have felt so much delighted to witness about the imortant topics and issues related to the state of Jammu & Kashmir. The dedicateion of Sh. Kul Bhushan Mohtra and his team is appreciable and reflects their hardwork put together while ompiling the most iformative material in the book.

I am sure that Gerneral Public and especially the young generation will surely derive maximum benefit out of this compilation which is much needed in the interest of Nation.

Shamsher Singh Manhas
Member of Paliament Rajya Sabha

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MESSAGE

This book is a great compilation of the pre-independence and post-independence historical happenings in the state of Jammu & Kashmir. Events of the history mentioned in the book are backed by historical documents.

The title of the book "100 Documents" is apt, reflecting the documentary pieces of evidence of the most critical events that unfolded in the history of the state. Many pertinent questions have been raised in the book, and these have been answered honestly with historical facts. The book captures the pre-independence history of the state and what went wrong in 1947 before the state acceded with India. The aftermath of state's accession, Sheikh Regime, Delhi Agreement, Praja Parishad, the martyrdom of Dr. Shyama Prasad Mookherjee and their ramifications have been lucidly covered and backed by documentary pieces of evidence. The dark phase of militancy that has engulfed the state since the late 1980s has been covered in detail. Historians, other academicians, politicians and all those who follow history must read this book.

I congratulate and compliment to Sh. Kul Bhushan Mohtra, Incharge Nana Ji Desmukh Library & Documentation Department, Bhartiya Janata Party, Jammu & Kashmir, for his efforts in documenting the historical facts and bringing out the book.

Dr. Narinder Singh
Prof. SKUAST - Jammu
& General Secretary BJP
Jammu & Kashmir

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Appendix

Appendix/1 Text of the Treaty

Appendix/2 Treaty of Lahore

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Appendix/4 Stand Still Agreement

Appendix/5 Instrument of Accession of J&K

Appendix/6 Kashmir Accord, 1975

Appendix/7 I saw Shri Guruji entering 'Karan Mahal

Appendix/8 Proclamation of Shriman Inder Mahinder Rairajeshwar

Appendix/9 Detail of PM and CM of Jammu & Kashmir State

Appendix/10 Statement Issued by Pt. Prem Nath Dogra on Apr. 15, 1951

Appendix/11 Statement Issued by Pt. Prem Nath Dogra on Mar. 29, 1956

Appendix/12 Statement Issued by Pt. Prem Nath Dogra on 1956

Appendix/13 Letter from Pt. Prem Nath Dogra to Pt. Jawahar Lal Nehru Dec. 18, 1958

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Dogra Regime

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1

LOOKING BACK THE HISTORY OF JAMMU & KASHMIR

Kashmir and Jammu are so contiguous that their histories although different could not be entirely different. Before the Sikh or Dogra rule or even Mughal and Afghan rules, there were people in Kashmir who were from a stock, not different from the people of Jammu. According to Kalhana's Rajatarangini one Jayasimha (Jai- Singh) ruled over Kashmir from 1128 to 1149 A.D. Tracing the history back to Sri Rama's time one comes across the belief that some one from the Surya Vanshi dynasty ruled over Kashmir in those days. After his death the inhabitants of the place formed themselves into small principalities, which were generally not on friendly terms with each other. This resulted in frequent skirmishes between them. To end this state of affairs they invited Raja Daya Karan from Jammu and accepted him as their first bonafide Ruler. Fifty Rajas from his dynasty are said to have succeeded him before Gonand the first acceded to the throne. He ruled over Kashmir before the Mahabharata War and was said to be related to Raja Jarasandh of Magadh who waged war against Lord Krishna. He was killed alongwith Jarasandh at Mathura during that war. He was succeeded by his son Damodar who assaulted Lord Krishna during the swayamvra of Raja of Gandhar's daughter and was killed. He was succeeded by his infant son Gonand 11, shortly before the Mahabharata war broke out.

One Hardev claiming to belong to the Pandav dynasty happened to visit Kashmir. Gonand made him a Minister but on getting a suitable opportunity he murdered the Raja and became

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the Raja himself, thus starting a new ruling dynasty. He was succeeded by Ram Dev who defeated about five hundred Rajas and established his control over a part of India. He received 1/10th of the produce from land as the state's share. Twentieth in succession to Ram Dev was Sundar Sain. Nothing much is known about the other nineteen but he and most of his subjects are said to have been killed during an earthquake and buried in a large crevasse created by it, at the site of the Wullar lake.

Then came Emperor Ashoka of the Maurya dynasty in about the year 21 B.C. He ruled over Kashmir through his Governor who lived in Taxila. It was he who built the town of Srinagar at a place now called Pandrathan. Ashoka was succeeded by Jalok who was a worshiper of Lord Shiva and did not believe in Budhism. He annexed Kannauj and Kandhar to his territory. He was succeeded by Damodar about whom nothing much is known. In the 125 A.D. Raja Kanishak of Peshawar who was a Budhist annexed Kashmir and built the town of Kanishakpura now known as Kanspura. He was succeeded by Hoshak who built Hoshakpura near Baramulla now known as Ashkar. In 185 A.D., Jasak succeeded Hoshak after the latter's death and this dynasty ended with Jasak's death in 225 A.D. One Abhimannu then accedted to tile throne and finished Budhism. After Abhimannu, Gonand Ill came to the throne and revived the ancient Hindu religion. One Raja Nar after him dismentalled all the Budhist temples and Budllism never gained a foothold there again.

Raja Mehra Kol of the Hun dynasty ruled over Punjab with its capital at Shakal now called Cheneot. After his defeat at the hands of some local Rajas in 528 A.D. he took refuge in Kashmir. The Raja of Kashmir treated him well and granted him a Jagir, but he in return murdered the Raja and usurped the throne. He wag very cruel and, therefore, unpopular. He committed suicide and Yudishtar I of the Gonand family was proclaimed his successor but was soon ousted by the people for

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being weak and inefficient. The throne was then offerred to Raja Bikrmajit Harash of Ujjain. After his death Parvasin usurped the throne and constructed Srinagar at the present site. The town was also called Parvasin pura. His family ruled for another fifty years with Baladat as last ruler who died issueless. His son-in-law Darlab Darwan of Karkot dynasty succeeded him in 627 A.D. It was during his rule that Hieum Tsang the Chinese traveller came to Kashmir. He conquered Rajpura (Rajauri) Parnot (Poonch) Bhimber, Ras (Hazara) and Sehnapur which had a salt mine. His son Darlekh Pratap Dat ruled from 663 A.D. to 713 A.D. His life was spent in defending his territory from attacks from outside. His son Chandra Ped ruled from 713 A.D. to 721 A.D. He sent an Ambassador to China to have his country recognized. He was succeeded by his brother Tara Ped who ruled for a brief period of 4 years and was unpopular. He was succeeded by Gamat Ped who ruled successfully from 725 A.D. to 752 A.D. He conquered a great part of Punjab and after invading Kannaujbrought the well known writer Bhavbhuti with him and made him hisSlate poet. He founded the Martand temple and the town of Prahasa pura ruines whereof are still found near Shadipura. He took several steps to improve agriculture in his state. He is said to have been killed during a military compaign. Before leaving for the combat he is said to have left instructions outlining the policy to be followed in his absence asking the concerned not to fight among themselves. Not to neglect the repairs of forts. To keep the hill people supressed so that they don't rise in rebellion. To leave only much produce of their lands with the Zamindars as is necessary for their own needs. Not to take too many people from the same family in Government service and not to recruit men in the army only from one particular region.

After 12 years of rule by four other weak rulers Jayapid ruled for 31 years from 764 A.D. to 785 A.D. He was a successful ruler in the beginning and defeated the Raja of Kannauj. Towards the end of his rule however, he looted temples and

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confiscated the lands attached to them. He was succeeded by his son who spend all his Cather had collected during the 12 years of his rule.

For the next 50 years there was no stable Government in Kashmir. Untill Avanti Verma of the Aptal dynasty acceeded to the throne in 855 A.D. He ruled for 28 years. Took steps to improve irrigation and agriculture and Control Floods. He founded the town of Awantipura. He was succeeded by Shankar Verma in 883 A.D. who founded the town of Pattan and built a few temples. He invaded Rajauri, Gujral and Kangra but failed to annex them. He was killed during his invasion of Hazara in 904 A.D. Some others from their dynasty ruled untill 980 A.D. when Rani Veda of, the Sohar dynasty acceeded to the throne. Her nephew Sangram Dev who is known as the founder of Sohar dynasty succeeded her in 1003 A.D. During his rule Mahmood Gaznavi invaded Kashmir but had to give it up on account of bad _communications. He was succeeded by Hari Dev, who died after 22 days of his rule and was succeeded by Anant Dev in 1028 A.D. Anant Dev ruled for 35 years and conquered Chamba. On the advice of his Rani Saraswati of Jullunder he handed over to his son Kalash Dev in 1063 A.D. who ruled for a short period of about 6 years. Harash Dev came to the throne in 1089 A.D. He was very found of pump and show. He knew many languages and patronized the learned. He possessed If he was merciful, he was cruel too and contradictory qualities. If he was merciful, he was cruel too andso on. He imposed several taxes on his subjects. He was killed by some-one in a Jungle and cremated by a wood cutter.

Aschal acceeded to the throne in 1104 A.D. and ruled for seven years. Disorder prevailed during the entire period of his rule and he was murdered. His successor ruled only for 24 hours before he was murdered too. Then came his step brother who met the same fate and was succeeded by Sasal.

Pandemonium prevailed in the country for the next two

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hundred years and every house had its own ruler. Zavi-UI-Qadar Khan of Tatar then invaded Kashmir and plundered and burnt Srinagar. After his 8 months of stay there, he and all his troopswere buried in the snow while attempting to return through the southern passes. Some nomads of Kishtwar then invaded Kashmir but were Dev's forces, who established himself as the ruler.

Rachan Shah the son of Ladakh's ruler murdered Ram Chand in 1341 A.D. and usurped the throne. He appointed Shah Mirza as his Wazir, married Ram Chand's daughter Kota Rani and then accepted the Muslim religion changing his name to Sadar-UI-Din. He died soon after.

Adin Dev a brother of Sameh Dev then acceeded to the throne. He married Sadar-UI-Din's wife Kota Rani and allowed Shah Mirza to continue as Minister. In 1331 A.D. the Turks invaded Kashmir. Adin Dev left the field but Shah Mirza gave a good fight and defeated the Turks. Adin Dev returned to the throne but Shah Mirza remained the virtual ruler. After his death Kota Rani assumed ruler-ship but she was removed by Shah Mirza who then ruled under his new name Shamash-UT-Din from 1341 A.D. to 1344 A.D. This was the beginning of the Muslim rule over Kashmir.

After his death his four sons Jamshed, Alla-UI-Din, Shahab Din and Kutub-UI Din, and succeeded to the throne one after the other. Sultan Alla-UI-Din was known to hold secular views. Sakandar son of Kutab-UI-Din ruled from 1394 to 1416 A.D. When Amir Temur invaded India, Kutab-tJI-Din sent him some presents and thus saved his territory. Ile had left the administration to Seh Bat a newly converted muslim, who ordered the Hindus either to become muslim o leave the country. Vle built the Jamia Masjid after dismentalling Tara ped temple. Shah-i-Hamdan was also built by him. He was succeded by his son Ali Sher who ruled from 1146 to 1423 A.D. and is

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known to have built the Shergarhi palaces. After his death his younger brother Shahi Khan later named as Zain-Ulab- Din acceded to the throne. He was also known as Bud-Shah (the great king). He ruled from 1423 to 1474 A.D., and introduced several reforms for the betterment of his people. He treated both the I Hindus and the Muslims alike. He withdrew the tax on Hindus imposed by his predecessors. Many Hindus who had left the country returned home. He had certain Arabic and Sanskrit books including Mahabharata translated into persian. Ten rulers from his dynasty ruled after him in succession but none equalled him in popularity. One among them was Fateh Shah during whose regime Mir Shamas Din arrived from Iraq. He converted many Muslims into Shias of whom Chak family was one. In the year 1556 A.D. Ghazi Chak murdered Habib Shah the last of the Zain-Ulab-Din Canlily after blinding him and usurped the throne.

Ghazi Chak was succeeded by Ali Chak in 1564 A.D., who accepted Akbar's suzeranity, when Qazi Sadar-U1-Din and Mulla visited Kashmir on Akbar's behalf. He also offerred his daughter for marriage to Prince Saleem. His successor Yusaf Khan was arrested by Akbar and Kashmir passed on to the Mughal rule 1586 A.D., which continued till 1751 A.D. This rule was on the whole peaceful and progressive. The Hari Parbat fort was built during this period and the Shalamar and the Naseem gardens were by Jehangir, Chashma Verinag and Chashma Shahi were constructed. Pathar Masjid was built by Noor Jehan. Nishat was laid by Wazir Asaf Jah and Governor Ali Mardan built (testing places). Among the Mughal rulers, Aurangzeb was popular. He found it diflicult to keep his hold on Kashmir refused to owe allegiance to him in 1751 and disorder followed.
In 1752 Ahmad Shah Abdali crossed into India from Afghanistan and ruled Kashmir through his Governor Asmat Khan and others for over fifty years. These Governors preferred to fill their own serving their masters in Kabul. With the result that Ranjitsingh of Punjab found it convenient to intervene. In

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1819 he sent Gulabsingh (Later Maharaja) to invade Kashmir and annexe it toPunjab which he did.

The sikh role continued from 1819 A.D. to 1846 A.D. Their in Kashmir was Moti Ram Misra. He was not verypopular among Muslims. The population of Kashmir was then 8 Lakhs which was reduced to two lakhs after the 1831 famine. Another Sikh Governor Mahansingh was good natured and had the good of people at heart, but he became unpopular in the army which mutinied and murdered him. Maharja Shersingh was then ruling the Punjab. He sent (Maharaja) Gulabsingh alongwith Kanwar Pratapsingh to supress the mutiny. Fighting ensued on the bank of Doodh Ganga and the mutineers surrendered. Gulabsingh stayed in Srinagar for four months and then returned to Jammu after constructing the Dalgate and appointing Sheikh Gulam-Mohi-Ud-Din as Governor, who on his death was, succeeded by his son Amam Din.

This was about the time when the treaty of Amritsar was signed as a result of the war between the Sikhs and the British in 1846 at Sobaroon which the Sikhs lost.

So much about the history of Kashmir. An attempt will now be made to trace the history of Jammu from times immemorial down to the same point. Suraj Vans is an old ruling dynasty of Rajputs in which Maharaja Ram Chandra (Lord Rama) was born in the 57th generation. One Raja Khayetri of Ayudhya belonging to this dynasty was killed in the Mahabharata war and was succeeded by his son Somintra who had two sons Agni Garb and Agni Giri. They both migrated towards the North-west. When they reached the banks of Ganges they were told by a Fortune Teller to proceed on untill they arrive at the third big river. They crossed the Jamuna and arrived at the bank of Sutluj. Here-they seperated. Raja Agni Garb went into Rajasthan and established his rule in Jaipur and Raja Agni Giri proceeded towards Irapati (Jasrota), After several

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generations Raja Jambu Lochan of the Agni Giri family founded the town of Jammu and established his rule there Centuries later Raja Agan Karan of this dynasty was killed fighting on the side of Poras against Alexander and was succeeded by his son Kirit Karan who invented the Dogri script. After several generations Raja Mal Dev succeeded to the throne at the time when Temur invaded India. He came upto Babliana from where he withdrew after a hard fighting. Raja Maldev is known to have brought a heavy stone from Tawi which is still lying in Mohalla Kali Jan (black stone) known after this stone Generations after Raja Mal Dev. Raja Ranjit Dev succeeded to the throne, he ruled from 1742 A.D. to 1781 A.D. Ahmad Shah Abdali asked him for assistance in quelling the rebellion in Kashmir.

He sent his son Brijraj Dev and Commander Rattan Dev who arrested the rebel Subedar (Governor) near Shopian and restored normalcy.

The Sikhs invaded Jammu for the first time but when they reached Sialkot, their two rival groups, under Jhanda Singh and Charat Singh fought each other and they were both killed. Ranjit Dev was succeeded by Brijraj Dev who ruled from 1781 to 1786. During his rule the Sikhs invaded Jammu twice under Mahan Singh. On the first occasion they were able to enter Jammu and plunder, but on the other occasion heavy fighting took place on the bank of Tawi in which the Sikhs were defeated, and Raja Brijraj Dev was killed towards the end. He was succeeded by Raja Sampuran Dev at the age of one year who ruled from 1786 to 1797 mostly through Mian Mota Singh. After his death his cousin Raja Jit Singh ruled from 1797 to 1809.

The Sikh invaded Jammu for the 4th time but the attack was repulsed by Mian Mota Singh. Again in 1807 the Sikhs under Hukman singh attacked for the fifth time. Mian Mota singh stopped them on the bank of Tawi below the Gumat gate. (Maharaja) Gulab singh was then a boy of fifteen but he fought with great courage and determination. The Sikhs, however, won

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because of nuperiority of numbers. Hukman singh retured after receiving some tribute. Soon Raja Jit Singh was called to Lahore but was not peonilted to return. That was the end of the old rule of Ranjit Dev'sfamily over Jammu.

Mian Surat Singh was Raja Ranjit Dev's youngest brother. He hadone son Mian Zorawar Singh who got three sons Gulab Singh, DhianSingh and Sochet Singh. Gulab Singh and Dhian Singh receviedtheir military training from Mian Mota Singh. When Gulab Singh was 16 years of age, he took a horse from his father's stables for going to Shikar without his father's permission, when he returned the horse was limping. His father got annoyed and admonished him.

He left home in search of service. Meanwhile on hearinghis exploits during the last Sikh war at Jammu, Maharaja Ranjit Singhasked Mian Mota to present Gulab Singh before him. Mian MotaSingh atonce sent for him and took him to Daska, where Maharaja Ranjit Singh was staying. Gulabsingh was taken in the Maharaja's service in 1812 and so were his brother Sochet Singh and on.

He so rapidly achieved distinction that he was created Raja of Jammu in 1819. Thereafter, Raja Gulab Singh entered upon a policy of consolidating and expanding his power and annexed the principalities situated between Jammu and Kashmir valley, one after the other. He conquered Ladakh and Baltistan between 1834 and 1841. At the death of Maharaja Ranjit Singh in 1839 Raja Gulab singh was a most important figure in Punjab. Early in 1846 he was installed as the Prime Minister of the Punjab State. The Sikhs crossed Sutluj against his advice and lost the battle of Subaraon against the British. He had then to perform the difficult task of negotiating a treaty which essentially was from a position of weakness. The treaty of Lahore was signed on the 9th March 1946, and the treaty of Amritsar* under which he was recognised as Maharaja on 16

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March 1846.

Before Maharaja Gulab Singh conquered Ladakh through the heroism of his famous General Wazir Zorawar Singh in 1841, it owed temporal and spiritual allegiance to Chinese Tibet until 1686 and then came under the nominal sway of the Mughal Emperor. Baltistan was almost independent until annexed by Maharaja Gulab Singh and so probably was Gilgit under their own local rulers.

It will thus be seen that Jammu, Kashmir, Poonch, Ladakh, Baltistan and Gilgit had all along been under separate dynastic rulers before the advent of Dogras. The State of Jammu and Kashmir as it existed in 1947, was the creation of Maharaja Gulab Singh. Mr K.M. Panikar in his book "Gulab Singh Founder of Kashmir" "In a century barren of (London Martin Hopkinson, 1930) says historical achievement in India, Gulab Singh stands out as a solitary. He is the only ruler in India's figure of political eminance long history who could be said to have extended the geographical No previous Indian ruler not even bounderies of India Samundra Gupta or Akbar, had ever dreamt of invading Tibet and though Zorawar, who ventured too far, paid the penalty for his adventure, the Maharaja's force, routed the Tibetan Army and extended the border or India to the other side of Himalaya's".

A treaty of friendship that was concluded, between the representatives of Maharaja Gulab Singh on the one hand and those of Lhassa and Empire of China on the other on equal terms, is reproduced in Appendix I.

Maharaja Gulab Singh was succeeded by his son Maharaja Ranbir Singh in 1857. Although 11 years of Dogra rule had witnessed the gradual establishment of order in the State, Maharaja Ranbir Singh's reign was not free from military activity, as the frontier tribes still gave trouble and several

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expeditions had to be sent against them which resulted in complete subjugation of Gilgil and the adjacent territories.

Maharaja Ranbir Singh was essentially a man of peace. He carried out several useful reforms. Administration was reorganised, petition boxes were set up. Many imposts were abolished including the marriage tax. Tax on Shawl manufacturers was reduced. Steps were taken to prevent infanticide, kidnapping and drinking. A number of schools were opened. Telegraph and Postal systems were established. A system of revenue assessment was introduced, sericulture industry was placed on sound footings. The shawl trade, however, received a set back after the Franco German war of 1870. The Maharaja who had introduced Sanskrit words of command in a the Army often supervised the military training himself. He was a great patron of letters and art. He encouraged research and gathered a good library of rare Sanskrit and persian manuscripts.

Maharaja Ranbir Singh was succeeded by his eldest son Maharaja Pratap Singh. During his 40 years of gule from 1885 to 1925, the British interference was increased to the maximum and his powers were curtailed to the minimum. He was succeeded by his nephew Maharaja Hari Singh who revived to a large extent the authority lost by his predecessor. His rule has been sufficiently discussed in the subsequent chapter.

Ref: From the book Political Conspiracies of Kashmir by Lt. Col. Bhagwan Singh.

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2
SIKH AND DOGRA REGIME

After the martyrdom of Guru Teg Bahadur, the people of Kashmir had a feeling of fear but they hatred Aurangzeb extremely After the death of Aurangzeb in 1707, the influence of Moghul rule weakened in Kashmir. The floods of 1746-47 and subsequent famine claimed about three- fourth population of Kashmir. In that situation some local commanders invited Ahmad Shah Abdali of Afghan to attack Kashmir and establish his rule.

Abdali succeeded in establishing his rule in Kashmir in 1753. The atrocities on people were at its peak during the regime of his Subedar Abdullah Khan Ishq Abbasi. It was said that Afganis think twice before plucking a flower, but they do not think even once before beheading the Kashmiris.

Oppressed by the last Afghan Subedar Jabbar Khan's inhuman atrocities, a Kashmiri Pundit Beerbal Dhar appealed to Maharaja Ranjeet Singh of Punjab to attack Kashmir; and also supplied him some important information about the Army of Subedar and promised to help him. Prior to it, the troops of Maharaja Ranjeet Singh had unsuccessfully invaded Kashmir in 1812 and 1814. But the Sikh Army led by Misar Deewan Chand, the commander of Maharaja Ranjeet Singh, defeated Jabbar Khan in the battle Of Sophia on July 15, 1819. After that, Sikhs ruled Kashmir for 27 years.

When Kashmir was being ruled by Afghans, Jammu was

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ruled by Dogras. The king of Jammu Maharaja Ranjeet Singh was a very brave and influential ruler. After the fall of Mughal empire, he conquered 22 small Dogra states and established Jammu as a vast and prosperous state.

In the year 1808, the Dogra ruler of Jammu was defeated by the Sikhs. One Gulab Singh who was associated with the lineage of Ranjeet Deo, joined the Army of Maharaja Ranjeet Singh. After his brave performance in many battles, the Maharaja appointed him as the ruler of Jammu in 1820.

In 1821, Gulab Singh conquered Rajaufi and Kistwar and merged them into his kingdom. He also helped in merging Dera Ghazoi Khan in the Sikh empire. He also participated in the Shaidu's battle in support of Hari Singh Nalwa, the Sikh ruler, and suppressed the revolt of Afghanis. Maharaja Ranjeet Singh was so impressed by his services that he provided him the provinces of Bhera, Jehlam, Rohtas and Gujarat. Meanwhile, Gulab Singh also conquered the fort of Mangala.

In the year 1834, General Jorawar Singh, the commander of Gulab Singh, conquered a large part of Ladakh including Janskar and Baltistan. In 1841, during an adventurous campaign of occupying Tibet, while facing snow storm, a big part of Dogra Army was destroyed. Jorawar Singh along with a large number of soldiers died. After the death of Jorawar Singh, the joint armies of China and Tibet marched towards Ladakh, but this army was very bravely resisted by Mehta Basti Ram, till the arrival of another troop, under the leadership of Deewan Harichand and wazeer Ratnu. Finally, when cornered effectively by the Dogra troops the army of China and Tibet ran away. The Dogra troops also chased them for long. In the battle of Chushul the Chinese army was defeated and its commander was killed. An agreement was signed in Chushul, between the representatives of both states, according to which both the parties agreed not to encroach into other's area and thus the

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borders of Dogra and Tibet were fixed.

In 1839, after the death of Maharaja Ranjeet Singh, his successors could not sustain their influence and consequently were defeated by the Britishers. The Britishers took control of Punjab but accepted Maharaja Gulab Singh as the ruler in large area in the north of Satluj. After the defeat of Sikhs, two different Accords were signed, The first accord was signed on March 9, 1846 under which the Sikhs had to give Rs 1.5 crore as compensation, Since they were unable to arrange such a huge amount, they surrendered a large part of their state, including Kashmir valley, to the British.

Another Accord was signed on March 16, 1846, which is known as Amritsar Accord, according to which in exchange of 75 lakh compensation given by the British, the Chamba area of Himachal Pradesh and the entire Kashmir valley was given to Gulab Singh permanently.

Here three things must be kept in mind. One, the British were fighting battles at many places including Afghanistan and for this they needed financial help, which was given to them by Gulab Singh. Two, the British wanted to take the control of Kashmir in their own hands and therefore they wanted to hand over its reign to someone who could be friendly to them. Three, the British were always worried by the growing strength of Russia and therefore in order to secure the interest of East India Company they wanted to have their approach link in Ladakh and Gilgit. For this they needed a powerful state in their support. On this criterion, Gulab Singh was the best suitable person.

In this situation, instead of facing the local resistance the East India Company preferred to keep Gulab Singh in power and maintained good relations with him. Gulab Singh was also interested in keeping and expanding his empire, even if it comes by paying some amount. But it needs to be noted that all this

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process was based on a written agreement and not at all on any sale deed, as is described by some people afterwards. Jammu, Ladakh, Gilgit, Baltistan etc. were already under Gulab Singh's state. Only Kashmir valley and some areas of Himachal Pradesh were added in this after the agreement.

After Gulab Singh, Maharaja Ranveer Singh became the king. After him, his son Pratap Singh assumed the power. On September 23, 1925 Maharaja Hari Singh, the nephew Of Maharaja Pratap Singh, became the king of Jammu & Kashmir.

Ref: Ashutosh (2013), Jammu & Kashmir, An Analysis of facts

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3

MAHARAJA PARTAP SINGH (1885-1925)

"Being the eldest son of his father (Maharaja Ranbir Singh) he became the ruler after his death and ruled the State for forty years, further strengthened the Administrative, Judicial and Defence Reforms which initiated by his father. He was responsible for introducing important British Indian Laws (Acts) to the State with the authority of Judicial Circular Number 201 passed under the Resolution Number 39 dated 1 1th January 1896. The number of courts was increased up to Ninety. A first rate Cart road the Jhelum Valley connecting Srinagar with Rawalpindi and another over Banihal pass connecting Srinagar with Jammu was constructed.

ACHIEVEMENTS

In 1880, the work of laying down a Cart Road through Jhelum Valley was taken into hand by Maharaja Ranbir Singh and after his death in 1885, the work was completed in 1890 by the Maharaja. His able Minister Dr A Mitra worked out a plan to construct a Cart Road from Jammu to Srinagar and the work on it began in 1913 and a first vehicle (a horse driven carriage) crossed over it in 1915. It remained a private road of the Maharaja and a special permit was required to travel over it. In July 1922, however, the Maharaja vide an order threw open this road to public. He extended the railway line from Sialkot to Jammu in 1890. The credit for linking the city of Srinagar with railway heads at a distance of 200 miles via Jammu and at an equal distance of 200 miles with Rawalpindi goes to him. He had also prepared a comprehensive plan to take the railways from

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Jammu to Srinagar, a dream that the NDA Government under the leadership of Shri Atal Bihari Vajpayee materialized though the alignment area is not the same as was envisaged. He had also decided the Constitution of the Legislative Assembly and the establishment of a High Court of Judicature. For effective organization of the Army he appointed his nephew, Raja Hari Singh, as Commander-in-Chief of the State Forces and Foreign Member of the Council. The Maharaja was a pious man having a religious bent of mind and generously made donations for religious and charitable purposes. He donated about one hundred and twenty-five kanals of land nearby the precincts of the then Jammu city which abutted on the Banihal Cart Road. This was meant for the study of Vedic culture and he constructed thereon a Mandir known as Ved Mandir which now lies in the heart of the city and is a centre of Hindu cultural organizations which provide free shelter and education to orphans, blinds and old people irrespective of their caste, creed, colour and domicile. A Cow shelter where hundreds of unattended cows are fed is also inside the premises including a modern Charitable Hospital. He had also donated money and lands for the benefit of Muslim community He passed away in 1925. He had also donated some land to be used by the pilgrims of Shri Baba Amarnath near Pahalgam (health resort) which was known as 'Sadhu Pardaw' and big chunk of forest land simultaneously was donated in favour of famous shrine of Muslims known as Nand Rishi near the famous resort of Gulmarg. Unfortunately, during the democratic rule in the State, the above stated land of 'Sadhu Padaw' could not be preserved by the State after the onset of second tenure of Sheikh Abdullah's regime. The writer of this book who happens to be a founder member of Shri Amarnath Ji Shrine Board (SASB) from 2002 till 2014 have been regularly raising this issue in the Annual Board meeting of the Shri Amarnath Ji Shrine Board. With great efforts recently it could be ascertained that Tourism Department of J&JC State has set-up a bus stand on that big chunk of land. Present Governor NN Vohra being the Chairman of the Board is very much inclined to

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relinquish the customary right of use of this land in favour of the government but the writer of this book is constantly creating hurdles for such illegal abandonment. The shrine of Nand Rishi is holding the donated forest land till now. The State Forest Department maintains the forest area and the income goes to the shrine.

References: Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi.

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4

ABOUT JAMMU

In the cast of this region flows river Ravi and to its west the river Jhelum. Chenab River flows in the centre and Jhelum touched its western territories. Jammu city is the winter capital of the State and it stands on the spur of a hill over-looking the pictures que Tawi rivulet. The prominent features of the city are its temples and imposing palaces. The first magnificent place known as Mubarak Mandi was constructed by second Dogra ruler Ranbir Singh and now it is in a dilapidated condition. It has now been declared as National Heritage and the Central Government is giving funds to restore it to its original position. The remaining three places were built by his descendants. (one of them by Amar Singh who was the father of the last Dogra ruler Hari Singh and remaining two built by Maharaja Hari Singh himself.) The population of Jammu city has tremendously increased by influx of displaced persons caused after three regular wars fought with Pakistan (of 1947,1965and 1971) and the last one which is still going on in the shape of a proxy war started by Pakistan from 1989. The uprooted and terrified people from the militancy affected areas have flocked to the city. The city is connected with the rest of the country with rail head and a modern airport. The world famous shrine of 'Shri Mata Vaishno Devi Ji' is situated at a distance of about 64kms from Jammu city which annually attracts about more than one crore pilgrims from throughout the country and even from abroad. The important towns of the region are Kathua, Basholi, Billawar, Hiranagar, Samba, Ranbir Singh Pura, Akhnoor, Nowshera, Rajouri, Poonch, Katra(Vaishnoo Devi), Reasi, Udhampur, Ramnagar, Ramban, Banihal, Doda, Bhaderwah, and Kishtwar. Mirpur, Bhimber,

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Kotli, Rawalkot, Palandri and Bagh were also important towns of the region but they are situated in that area which isa known as Pakistan occupied J&K of the Jammu and Kashmir State. Out of the above stated important towns Jammu, samba, Kathua, Rajouri, Poonch, Udhampur, Reasi, Ramban, Kishtwar and Doda are the district headquarters.

Jammu town before 1947

Till 1947 the Gumat Gate—very ornate even today, though illegal shops have obscured its old elegance—was where the town began and was its lowest end. The palace complex in the Ramnagar Rakh was the highest point and the northern extremity. All visitors from the plains in the south would enter through the Gumat Gate and start climbing up its steep stone steps.

The bridge on the Tawi was built in the early 20th century. Before that people would cross the river by boat when its waters were substantial and wade through it during the rest of the year.

To this day many villages in the kandi (semi-arid) belt—Gurha Salathia, for example—have ponds (talabs) where they store rain- and spring- water, to drink and to wash with. Jammu's famous tålåbs—Puccå Tålåb, Råni då Tålåb, Tålåb Khatikåfi and Talab Tillo—have, like the bäghs (gardens and orchards) of Srinagar, since been built over and been converted into residential districts.

A History of Jammu

According to an estimate, in 1941 Jammü city had a population of around 50,000, of which roughly 16,000 were Muslims. Sorayyå Khurshid's otherwise unprejudiced account very gently hints that old Jammu was ghettoised. She writes, 'Jammu city was divided into two parts, the upper and the lower. While one did not understand as a child why the city was laid out like that, years later I found many Italian cities similarly laid

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out. In Jammu the upper or the elevated part of the city was mostly peopled by Hindus—though there was a Pathån mohallå right in the middle of it. 'This is an incredible statement. Obviously five decades of separation have blurred that gracious lady's memory, for the uppermost mohallå in town, the one closest to the royal palace, was the overwhelmingly Muslim Uståd Mohallå. Forest lessee Sheikh Amin's tony mansion—the only one with Italian marble—was also close to the palace and was perched atop a similar elevation.

On the other hand, some very rich Hindus—notably shopkeepers and jewellers—lived in the southern half.

The Ustad Mohalla Ustad Ghaus Muhammad Khan, who belonged to Rampur (Uttar Pradesh), was known for his expertise with horses, bows and arrows. The Maharaja of Jammü and Kashmir, Pratap Singh, invited the ustad (maestro) to the state to teach his brother, Raja Ram Singh, and him, as well as other royals, these arts.

The Maharaja granted his tutor an enormous estate close to the palace. Råjå Ram Singh got a grand mansion, which is still intact, built for his ustäd. According to Prof. Suneethi Bakshi, the raja personally supervised the construction of this havéli (mansion) and ensured that its ground floor was built of the same materials as the Mahåråjå's palace,which was then being constructed. And when Råjå Ram Singh added an upper floor to his own house, he got a similar floor made for his tutor. (References to Prof. Suneethi Bakshi are for her article 'Mute witness to a bygone idyllic and historic time,' The Kashmir Times, 23 and 30 October, 2005.)

Ghaus Muhammad—whom the Mahäråjå gave the title Sardar—was some kind of a modern day Arjun. Apparently, the ustad could, with his arrows, shoot down birds flying above him without looking at them. He only needed to see their reflections in a tub of water.

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The ustad founded a very illustrious line. He married Begum Jan, whose father General Samad Khån was the landlord of Balliåfi, a village near Udhampur. The legendary Col. Peer Muhammad was their eldest son. (The colonel was, for a while, the state president of the Hindu nationalist Bhåratiya Jan Sangh—the precursor of the Bhåratiya Janatå Party. And when Påkistån gifted armed militancy to the state in the 1990s, Farooq Khån of the Indian Police Service—who is the colonel's grandson and the uståd's great-grandson—became one of the foremost militancy-fighters of the state.) Upon Bégum Jån's death, Räjå Ram Singh persuaded the uståd to marry again. Each time that a child was born to the uståd—and he had five children—the royal queens would come over with gifts of gems and robes embroidered with gold.

All this royal attention encouraged other elite Muslims to build houses on the uståd's estate—which came to be called the Uståd Mohallå. A widow of Mir Månu, the Mughals' Viceroy of Lahore, had, in the 1770s, built the substantial Wazirni mosque at the point where the mohallå meets Palace Road. She also built a havéli—the Bégum ki Havéli—for herself.

Råjå (General) Råo Firmån Aii Khån, another illustrious resident of the mohallä, too, had a spacious havéli. If Brig. U.C. Bakshi's Edwardian house was the biggest of them all—with a row of stables and garages, lawns that stretched over half an acre and three large western-style 'halls'—it was because he had the Anglicised need for lawns and the advantage of being a latecomer to the mohallå.

After the unfortunate exodus of 1947, Rio Firmån Ali Khån's mansion was, for a few years, converted into a refugee camp. (Details in the next chapter.)

Ghaus Muhammad Khån was a gourmand, and his havéli was known for its colourful soirees. The best dancing girls and female singers of the day—notably Iqub alias Ballo of the Urdü Båzår—would enliven things for guests, who often

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included the Maharaja brother.
The Urdu Bazar: Jammü's Urdü Bazar (later renamed Råjinder Bazar after the great military martyr of 1947) used to have a major Muslim presence. Its southern end was called Pipalwålå Chowk. (The pipal tree is still there but the square has been renamed Shahidi Chowk.)

Urdü Båzår had the town's most successful bakeries, both owned by Jammü Muslims—Ghulåm Muhammad and Sådiq—and, later, another two owned by the biggest names from Srinagar—Ähdoo and Lålå Sheikh. This bazar was where people went for kebabs and perfumes. (Perfumes made in Kannauj, U.P., are still sold there.)

The Tåj Hotel, owned by Dogrified Muslims from Baltistån, had already made a name for itself. It has gone to greater heights and vastly expanded since. Indeed, only Muslim chefs made certain kinds of delicacies. Omar was known for the kebab, Masood Billå for several kinds of sherbet, Miaå Latif for pickles, Chächa Shammå for the Kashmiri tsachéroo bagel, Qutubi for the katlammå and Laloo Billå for the bäqar-khäni.

The Båzär was best known for its sex artistes. (Sex artistes are women who, in Hindi-Urdü films, sanctimoniously proclaim, 'We sell our art [classical singing and/ or Kathak dancing], not our bodies.' And yet the world—Råd, for instance—associates them mainly with 'the world's oldest profession).

Only Malkå Pukhråj, who lived for a few years on that street of talent and pleasure, was able to establish herself in Pakistan after the maelstrom of 1947. But then she had shifted to what later became Pakistan much before partition—and was already a superstar.

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Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi

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5
ABOUT KASHMIR

The people of Kashmir Valley are physically taller and of fair complexion in comparison to the inhabitants of the other two regions (Jammu and Ladakh). They are more shrewd and politically awakened. One theory is that Kashmiris are the descendendants of the lost tribes of Israel, because in some cases there is similarly of Jewish-cut features. But the credible view whch finds support in the 'Rajatrangini' and 'Nilamata Purana'(old scriptures written in Sanskrit) is that the valley was a big lake and was drained by Kashyapa Rishi who imported Brahmins and sags to live there. The third view held by some persons is that when river Saraswati dried. Brahmins and Kshatriyas who had settled on its bank migrated to the Himalayas and found abode in Kashmir.

Before the advent of Islam in the 14th Century, the population in Kashmir was not entirely of Brahmins and Chandravanshi Rajputs. There are also found in the names of several sects- Nishads, Khakhas, Darads Bhauttas, Damaras and Tantrins etc – who constantly gave trouble not only to the rulers but to the Brahmins also. Buddhism came into ascendary in the 2nd century BC and during its heyday Buddhist Kings and Ministers used to build 'Viharas' and temples simultaneously. There was no religious bigotry. Islam entered Kashmir without any conflict. Ranchan, a Buddhist fugitive from royal family of Ladakh was the first convert to Islam when he was not admitted to Hindu fold by Brahmins of Kashmir. He had adopted Islam religion after succeeding in usurping the throne of Kashmir. His

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rule was short-lived and after him first Muslim ruler was Shah Mir. Muslim saints like Sheikh Nur-Ud-Din and Hindu saint like Lalleshwari were venerated alike by Muslims and Hindus. Even during the darkest days of religious persecutions by fanatical rulers such like Sikandar Khan and Afghan Governors, the people of Kashmir lived amicably. Brahmins are known as 'Kashmiri Pandits' and are considered the purest specimen of Aryan settlers in the valley. They have undergone various political vicissitudes and suffered at the hands of religious persecutors. The community has known en masse exodus during some periods of Sultan rule. Mughal rule and afghan rule. Now because of the spurt of terrorism in Kashmir they have again seen en masse displacement. The literacy rate between them is above 90 percent and their chief occupation is government services. The community has produced great saints, authors, administrators and politicians. The first Prime Minister of the Independent India was Pandit Jawahar Lal Nehru (a Kashmiri Pandit by origin) followed by non-Kashmiri Shri Lal Bahadur Shastri for a period and then his daughter Mrs Indira Gandhi Stepped into his shoes.

Sikhs are another small community in the valley having some pockets of the population in Baramulla district and Tral area of Anantnag. Most of them were originally Brahmins followed by Khatris from Punjab imported by Raja Sukh Jivan (1754) - who was an appointee Governor of Afghans. He declared independence and became Raja with the help of powerful Kashmiri nobles. This position he could maintain for a short period because Afghan ruler Ahmad Shah Abadli again invaded Kashmir and subjugated him. He was taken asa a prisoner to Lahore where he was blinded and then mercilessly killed under the feet of an elephant. During the Reign of Maharaja Ranjit Singh (1819-1839), those Brahmins and Khatris embraced Sikhism. Some addition was made by had become Sikhs. They are hardy people and mostly agriculturists. Recently they have taken to police and military services.

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Overwhelming majority of the people of Kashmir valley profess Muslim religion. The old surnames of Pandit Community are still retained such as Pandit, Bhatt, Handoo, taming, Koul/Kaul, Raina etc. because they all are converts. The Sheikhs, Sayeeds and Pirzadas are considered more respectable amongst Muslims. The Muslim population is divided into Sunni and Shia sects, the former being in a prepondering majority. There are some settlements of Pathans and Mughals in certain parts of the valley.

The valley is approximately 84 miles in length and 20 to 25 miles in breadth. The average height from sea level is about 5,000 ft to 6000 ft. lofty mountain guard the valley from all sides from the outer world. The river Jhelum arises from the spring of Verinag and transverse the whole length of the Valley. It is also known as Vitasta and it provides cheap mode of transport through boats and cargo boats. Kashmir is a land of lakes, rivulets, rivers, flowers and fruits. The Wular Lake is the largest fresh water lake of India. It is 12.5 miles long and 5 miles wide. The Dal Lake lies at the foot hills to the east of Srinagar City and is 4 miles long and nearly 2miles wide. Presently its area has been squeezed by large number of encroachments.

Srinagar is the summer capital of the State and is situated in the centre of the valley divided by River Jhelum. It is one of the oldest cities of India founded by Emperor Ashoka. The city is connected by motor able road from the time of Dogra rulers and a modern airport. The central Government is linking the Valley with rail service and the work is going on though not at a high speed. Railway link has been provided in the valley connecting the town of Anantnag with the town of Baramulla. Now it has been extended up to Banihal falling in Jammu region. Prime Minister Narendra Modi had on July 4, 2014 flagged off Shri Shakti Express train from Katra Vaishno Devi while commissioning the 25 km long Udhampur-Katra line. Baramulla towards the north-west of the Valley is a town of importance

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because it is from here that the river Jhelum adopts rushing, roaring and foaming torrents by entering the hilly areas. Another town situated nearby is Sopore which was originally founded in 9th Century and it is known as home of apples and a hub of terrorism. In the South of the Valley, Anantnag is an important town which has numerous springs. Martand (Muttan) is a spiritual place for Hindus because there is an ancient Sun Temple which stands on a spring. Besides the native Kashmiri Pandits, the other Hindus from other parts of the country also perform 'Shradh' ceremonies there. Shopian is an old town in the lap of Pir Panchal and is a starting point of an old Mughal Shahi Caravan Road which now has been made motor able from Poonch district of Jammu. It is a famous centre of fruit trade. Budgam is a new town of importance and is situated nearby the city of Srinagar. Anantnag, Kulgam, Pulwama, Shopian, Budgam, Srinagar, Ganderbal, Bandipora, Baramulla and Kupwara are the districts headquarters. There are three Universities in the Valley. i.e. University of Kashmir, Islamic University of Science and technology. Engineering Institute (NIT, Srinagar), medical Institute which his known as Sher-e-Kashmir Institute of Medical Sciences (SKIMS) are other important centres of professional learning and teaching. Gulmarg, Pahalgam, Sonamarg and Yus Maidan are the most famous picnic spots. The Muslim shrine of Hazaratbal which houses one hair of Prophet Mohammad is venerated throughout the country. 'Charar-e-Sharief' is a famous Sufi shrine which was earlier destroyed by fire ignited by militants and now stands reconstructed by the government. The famous shrine of 'Kher Bhawani' and cave of 'Shri Baba Amaranth Ji' Shankaracharya Temple are situate din the valley.

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6

THE GLORIOUS PAST OF KASHMIR

Brig. Anil Gupta

Kashyap's Kashmir

As per mythological legend mentioned in the Neelmata Puraan, a terrifying deluge turned the whole of India into a vast pool of water when the water gushed out, the human life became habitable and sustainable and thus came into being, the social norms. But in the North of India in the lap of proportions and looked like a dam. Then, as a result of violent geological upheavals, the mountainous walls developed cracks and the water flowed out with terrible force. The land that surfaced was a beautiful land, created by the volcanic force, which, as per legends, is 'Sati". That is why the contemporary geologists called this place as 'Satidesh'.

Subsequently, Kashyap, the great Sage, chiselled the mountains into shape and made the place 'habitable. This task was successfully completed but it was felt that a river required for safe passage to the pool of water. Kashyap approached Lord Shankar for help, who readily sent experts for making a river. The Lord Shankar used his 'trishul'(Trident) to dig out the land and thus began the excavation work. The strike of the trishul brought out a vast lump Of soil, (Vitasti). That is how the river so created came to be known as ' Vitasta'.

This river, removing the big stones and clearing its way, infused life into the area and provided water for the agriculture before finally merging into the 'Sindhu' river.

When the entire area was levelled and the banks of '

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Vitasta, took shape, Kashyap invited people across the country to settle there. Accepting this invitation with humility, people of different castes, sects and occupations including farmers, traders, vaids and sculptors-all came and requested for allotment of land. Kashyap's Rishis, following certain norms distributed the land. The 'nagas' of Kashyap and people ofother sections took little time in preparing lay-outs and setting up towns with beautiful homes, temples etc.

As things settled, the question arose as to who should be given the charge of governance of the region. After much reflection and deliberation, Neel, the son of Kashyap was declared the King of the State. Thus, Neel became the first King of Kashmir. He discharged his duties with tremendous acumen and ability. The news of the panoramic beauty and splendour of the state reached far and wide attracting people from distant places to come and settle in this place. The King Neel welcomed one and all, providing them ample amenities and the people lived in total peace and harmony.

In this Kashmir valley, various sects and panthas came to stay and prosper. Though the revolutions took place but they were different from the violent revolutions of the West. The revolution in the West would mean bloodshed and overthrow of the present regime and thrusting upon the people a new order. But in India, revolution implies bringing changes in the extant order which usher in progress and development without annihilating anybody's existence. Any change brought about with proper fusion of the Old and new ideas does not lead to struggle and conflict. 'Reverence for all beliefs' is the essence and core of the Indian ethos and this is known as 'Kashmiriat' in Kashmir.

The Faith of 'Nagpuja'

Historically, in the valley of Kashmir, there were no

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instances of imposing a particular faith or belief on certain people. The followers of various faiths had no clash or conflict among them. In the early stages, there developed a practice and philosophy based on 'nagpuja' by Neelmuni and this form of worship was practised unhindered for a long time.

Buddhism

Buddhism came to Kashmir during the period of Emperor Ashoka in the mid 3rd century B.C. There was widespread propagation of Boudh principles. Accordingly, the bliss or happiness lies in renunciation, physical attainment is not truth, desire for material comforts never ends and Ahiinsa (non-violence) is the best course or way of life. During Ashoka's rule, a large number of Boudh vihar, muth i.e. monasteries and temples were built. The Kashmiri Boudh Bhikhshus (devotees) travelled around the globe and visited many countries to teach and preach lessons of humanity. The Boudh faith spread in Kashmir but the 'Brahmins ' remained unaffected by its growth and they maintained the sanctity of their strict norms and rituals. To get support of the Brahmins, Emperor Ashoka too visited ancient temples and Shivalayas to perform 'puja'.

Shaivism

Kashmir is the place where 'Shaivism' made its first appearance. A large number of Hindus in Kashmir worship Lord Shiva. Shaivism, the soul of Kashmiri ethos, is based on the philosophy of karmaphal i.e. 'Actions determine outcome' and it advocates that 'yoga' and 'sacrifice' are the cornerstones of humanity and that Soul is immortal. The physical form i.e. the body acts upon the dictates of 'Maya ' and the final salvation is achieved only through the destruction of 'Maya'. Lord Shiva's existence is seen as a family Cold - Parvati as wife, Kartikeya and Ganesha, the Apostle or war and the Head of State respectively, as their sons. Vrishab the agricultural implement is His carrier

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Water, the elixir of agriculture is present as 'Gangajal' on His forehead. His meditational and yogic padmaasana, though present in this world is beyond the worldly confines.

What is splendid about Shaivism? Born and developed in the land of Kashmir, it is the depiction of the entire human life, path of its progress and elevation. In Shiva's incarnation, one finds a complete synthesis of various aspects of life—household, agriculture, religious struggle, republic, yoga, spiritual youth, renunciation training in arms. This is something unique found only in this scientific philosophy. It was this uniqueness which attracted people from all over the world.

The Centre of Learning

Shri Anand Kaul writes in his book, 'The Kashmiri Pandit' — "Since ancient times, Kashi and Kashmir were renowned for their educational system. But, with Kashmir surpassing Kashi, the scholars from Kashi used to come to Kashmir to complete their education. Even today, the people of Kashi send their children to Kashmir, on the occasion of 'Akshar Gyan ' and ask them to take seven steps in the direction of Kashmir wearing 'Janeyu ', the sacred thread of Hindus. 'Janeyu ' is considered an ominous symbol of visit to Kashmir. The land of Kashmir is the place of origin of the Indian culture. There is firm belief that Kashmir has played a significant role in spreading and propagating the Indian way of life all over the world.

The people of Kashmir are well-cultured and fond of learning. In Kashmir, education has always held a place of high eminence and prestige. Albruni, who visited Punjab alongwith Mahmud Ghaznavi in 1102, writes "Kashmir is the most venerated school for Kashmiri Hindu scholars. People from far off places, came to this place for learning Sanskrit and many of them were so enchanted by the pleasant climate and natural splendour that they chose to settle here permanently."

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A little away from Jammu, there was a noted Sanskrit college which was run for many years under the guidance and direction of Principal Pt. Purushottam Kaul. This college provided free education. It brings to the fore the uniqueness of the education- oriented aspect of Indian culture. Baba Srichand, the son of Shri Guru Nanak Dev Ji and founder of the Udasi faith got his education from this college. Mohammad Dara Shikoh, the Moghul Prince, too, came to Kashmir to learn Sanskrit.

Why are all Kashmiris called 'Pandits'?

An important query arises – if people of different regions and classes came and settled in Kashmir, then why are all Kashmiris called 'Pandits'? This question is linked to the cultural and spiritual legacy and also the social identity of Kashmir. Since the earliest times, Kashmir, known as the land of sages, Rishis, muth, temples, universities, centres of knowledge and spirituality, has produced great scholars and educationists of international acclaim. They all came to be known as scholarly Pandits. Anybody who possesses knowledge and disseminates it in the society is a Pandit. So, the racial identity of Kashmir, the land of knowledge became popular as the land of Pandits. All the rivulets, big or small, that merge into the holy river Ganga, assume the name of Ganga. The words 'Pandit' and 'Kashmiri' were so blended that the two became synonymous to each other. The 'Kashmiriat' has a unique feature. It has treated all categories of people with respect and has no place for narrow considerations of caste, creed and social hierarchy. Kashmir has awarded the title of 'Pandit' to all its people -- rich, poor, rural or urbanites. This aspect of Kashmiriat elevates it to the heavenly echelon. Otherwise, like other places, Kashmir too had demographic-mix such as Brahmins, traders, warriors and shudras i.e. people looking after menial jobs. They all exist even today. Since ancient times, 'Kshatriyas' continued to be the dominant ruling elite. Like Kshatriyas in other parts of the country generally use the suffix or title of 'Singh' to their names,

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in Kashmir they use the word 'Aditya' with their names such as Pratapaditya, Lalitaaditya,Vajraditya, Baladitya, Ranaditya, Vedaditya, Vikramaditya etc. 'Aditya' signifies 'Sun'. Their lineage was 'Suryavanshi Kshatriya'. There are many Kshatriya families in Kashmir today, some of them might have, out of fear or personal reasons, converted to other faith and changed their original identity. But majority of them use their original Goutra or family-name. Lohar, Damar, Rathore, Nayak, Thakur etc are still commonly used names in Kashmir. The 'Lohar' and 'Damar' communities are in large number in the northern and southern part of the Kashmir respectively. ' Vaishya' , the business class are in good number, too, in the state, particularly, in Vora and Trambu areas of Sopar region. People employed in lower-rung jobs like Kumhar (makers of earthen vessels), Chaamkar (leather goods makers) etc. called 'Shudra ' also inhabit the state.

There is a proper blend of scholarly wisdom and Kshatriya gallant in the racial character of Kashmir. The most common Goutra (family title) found is 'Bhat' which comprises the dual characteristics. The word Bhat' means Brahmin or teacher i. e. one who imparts knowledge and education and also denotes the quality of a warrior or fighter, i.e. one who acts as saviour of the society from physical danger.

The word 'Pandit ' is used for Kashmiriat or Bhartiyata which continued to impress, attract and educate the world scholars for 4,000 years. This word is the legacy of Kashmir, reminiscent of the ancient history of Kashmir -its cultural heritage, sacred rivers, scenic splendour of lush green valleys and enchanting meadows as proof of Kashmir's ancient glory and magnificence.

In this context, Dr. Trilokinath Ganjoo writes in his book, "Maharishi Shiryabhat" --- ' 'The Kashmiri Hindus who escaped the Muslims' murderous intents and forced conversion did not belong to a particular Varna or caste. In fact, they comprised

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Brahmin, Kshatriya, Vaishya and Shudra. They were in such small minority that it was impossible to follow a social pattern on the lines ofa well defined caste-based order (Varna vyavastha). In such a scenario, Maharishi Shiryabhat advised the people to form a classless social order. But Varna had come to stay too deep in the socio- cultural mindset to pave way for a classless society. This made Shiryabhat to christen all Kashmiri Hindus into Brahmin Varna. A close analysis of various Kashmiri castes unveils the entire plan of social order followed at that time. But this aspect has never been taken up by the historians".

What do the names of Rivers and Mountains denote?

Though there are vicious attempts being made to demolish the ancient and glorious character of Kashmir and Kashmiriat by defaming and distorting it. But it is quite clear that Kashmir had only 'Hindu' identity. Kashmiriat meant only Hindu culture. Today, those who are indulging in destroying this cultural legacy under the influence and control of foreign and blasphemous elements are themselves descendants of Hindu ancestors. Hindukush Mountain is the crown of Kashmir valley as its very name indicates. Gripped by emotions, once Ashfaqullah Khan, the revolutionary and great patriot remarked, "My Hindukush has turned into Hindukash (the assassin of Hindu)". The whole mountainous range of Kashmir begins with Hindukush. The various mountains – Brahmashikhar, Harmukut, Mahadev, Gopadi, Chandanvan, Naubandhan and Nagparvat- are all Sanskrit names. The name 'Satisar' was given to Kashmir by Gods. It was ruled by Neelnag who was the son of the Sage Kashyap, the Creator of Kashmir. While Kalhana, the historian, in his Rajatrangini calls Sindhu River as Uttar Ganga, it has been referred to as Uttarmaanas i.e. 'Gangbal' in Neelmat puraan. In its vicinity, lies ancient pilgrim spot, Nandi which is now known as Nandkot. Adjacent to this place flows the river Kanakvahini which is distortingly called as

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'Kankai' river. The river Jhelum is vedic vitasta. On the banks of Krishna Ganga, another place of pilgrimage called Sharada is situated.

Likewise, there are several other places of pilgrimage viz. Amreshwar (Amarnath), Sureshwar, Tripureshwar, Harsheswar, Jyashtheyshwar, Shivbhuteshwar, Sharada and Saritshila. Which religion, faith or philosophy are these places related to? Or for that matter, places in Kashmir like Siddh path (Popularly called as Budil or Seedon), Panchaal (Pir Panjaal) Dugdadhar (Dudukant) Zojila, Chintapani etc. Where do these names come from, their historical background or source? Varnier, the noted English historian recognises that Kashmir is associated with the Sage Kashyap. Muslim author Malik Haider also clearly spells out that it was Rishi Kashyap who inhabited Kashmir.

Rajatrangini

Rajatrangini, a great epical work in Sanskrit presents a well- documented historical account of more than 4,000 years. The historians who created this chronicle had a complete view of the series ofevents that took place in Kashmir. It is incredible that such a massive chronicle was developed and carried forward by numerous historians and authors over centuries like Kalhana, Jonraj, Shriwar and Shuk. In this exhaustive narrative, one can find the great contribution made by various leading social groups and communities like Boudh, Shaiv, Vaishnav, Pishach, Naag, Guhajak, Bhotta, Shia, Sunni, Syed, Chakra, Moghul, Pathan, Sikh, Dogra, Christian and Kashmiri people. Kashmir has been ruled with an order influenced by different norms of administration It is a perfect laboratory for deep analytical study of conflicting 'isms', opinions and philosophies.

Sati Desh

The remains of buildings and structures found in

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Kashmir are the ruins of schools, math, viharas (temples and monasteries) and places of deities. But there are no signs, whatsoever, of the luxurious and sumptuous life style of Kings, palaces of power and women's harem. The Hindu Kings who ruled the state never spoilt the peace and wellbeing oftheir masses for their own interests and fancies. As Kashmir had always been venerated as a land of Sati by the rulers, saints and sages, it dug deep into their psyche that causing trouble to the Kashmiri subject would amount to gross disrespect and dishonour to Bhagwati Sati.

The Rulers of Kashmir honoured the all conquering Bhartiya tradition and carried it forward. They handed over the administration of the regions they conquered to their people and did not treat them as colonies, nor did they demolish places of faith and worship and resort to conversion. They did not impose their authority by force. The Emperor Lalitaditya conquered a large region up to Middle East. He never took to luxurious and opulent life style. Kashmir has given great Emperors like Meghvahan whose military exploits conquered half of the regions of the world but these were returned to the people on the firm assurance that there will be no violence and aggression. He left the places handing over complete freedom of governance to the people. By sacrificing his own life for the larger good of the people, Meghvahan set up high ideals and raised the Kashmiri pride.

Sufism

With the advent of 14th Century 'Sufism' came into being in Kashmir. A Sufi Saint Syed Ali Humdani of Humdan came to Kashmir in 1372 along with 700 followers and disciples. Though they came with the sole objective of converting Kashmiri people to Islam and they succeeded too, to a large extent, in their mission but the generous Kashmiris accepted their spiritual sermons and teachings as 'another flower in the huge vase'.

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Some of the main tenets and guiding principles of Sufism are meditation, austerity, self-control and purity of thoughts. According to Sufism, Jihad means controlling one's physical and material desires and fighting and eradicating the evils present '*ithin oneself.

How practical are the Sufi principles? Kashmiri people treated the Sufi Saints like there ova-I 'Greats' and accepted their teachings as part of Kashmiriat. Though it is another aspect that the conversion of Hindu people to Islam that the Sufi saints brought about has become a festering wound on the body of Kashmiriat.

Rishi Cult

In the mid 14th century, Rishi cult was born in Kashmir. The teachings of Sanyasini Lalde and Sheikh Nuruddin gave rise to a spiritual organisation comprising a group of about 2,000 Rishis scattered all over the villages in the region. Abul Fazal, a Muslim saint who later embraced Rishi cult has said, "Rishis are the most venerated holy men in Kashmir. Though they have not given up the traditional forms and customs of worship yet they are sincere, devout and shun worldly desires. Pure vegetarian they grow fruit-bearing trees for the people and lead a life of austerity and celibacy." The Rishis, no doubt, made Kashmir, a heavenly realm.

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7

THE GLORIOUS PAST OF DOGRA LAND

The entire Jammu region or the Dogra land, also called as land of Dogra warriors is known for its indomitable courage, bravery, self-esteem, dignity, self-reliance and patriotic spirit. In earlier times, one ofthe main provinces of Indian nation was one Madra Janpad, Jammu, which ranged, area-wise, from Sialkot in West Punjab (Pakistan) Pathankot, Gurdaspur, Kangra (H.P), Chamba, Kishtwar (J&K) Ramban, Poonch, Banihal to Muzaffrabad and Mirpur. Lying in the laps of Pir Punjal Trikuta and Shivalik valleys at the foot of the majestic Himalayan peaks, the people of this region have not only thwarted the misdemeanour of the foreign invaders but have also given shelter and succour to the people tormented and driven out by them.

Protection of the Sheltered

As per Neelmat Puraan, the history chronicle of Jammu & Kashmir, when Jalodbhav, the devil, set his assault on the Kashmiri people and drove them out of their homes, the people of Jammu region provided them food and shelter till the demonic onslaught of Jalodbhav was stopped by Kashyap, the founder of Kashmir. It is worth mention that in the present day scenario the people of Jammu have provided shelter and assistance to the patriotic people of Kashmir who have suffered at the hands of the modern perpetrators of crime and violence. We must hope that this evil giant will meet its end and the nationalist people of Kashmir will return to their idyllic valleys and keep the spirit of Bhartiyata aloft. Hopefully, with the

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Divine intervention and graciousness, things will change for the better.

Dogras, the Staunch Nationalists

Like the glorious past of Kashmir which has been delineated in the previous chapter, Jammu, too, has a brilliant history. Like Kashmir which has produced great Emperors and warriors of the likes of Lalitaditya and Avantivarman, Jammu region has not lagged behind as it has also produced great warriors who have valiantly fought the invaders - Afghans, Moghuls and Europeans. The credit of finishing off the dream of conquering India, of the so-called world conqueror and hypocrite Alexander, the great, also goes to the gallant fighters of this land. The Dogras have always proved their mettle in defending the honour of Hindus and Bharat Desh. The legacy of bravery, sacrifice for fruth and self-respect continues to this day.

Bahu Lochan and Jambu Lochan

Bahu Lochan and Jambu Lochan were the descendants of Kush, the Son ofShri Rama. Many historians have associated the ancient history of Jammu with the period ofthe Ramayana. King Agnibaran, the descendent of Kush, along with his aides, left Ayodhya and moved to the mountainous areas of northern India. The royal family of Agnibaran entered Kangra valley in Himachal Pradesh and settled in Parol area of Kathua, in Jammu & Kashmir. King Agnibaran's son Suryasarva captured some areas of Punjab and Himachal upto Jammu Tawi river. King Agnigarbh, the fifth descendent of King Agnibaran, took the entire region around river Tawi under his control and formed a formidable state. After King Agnigarbh 's death, his eldest son, Bahu Lochan took over reins ofthe state. He selected the area on the left ofthe river Tawi for his capital. A new town and fort were built for the purpose which was later known as Bahu Nagar and Bahu Fort. Bahu Lochan, then, tried to capture the plains of Punjab but he was killed in the battle by Chandrahaas, the King of Punjab. Jambu Lochan, the younger brother of Bahu Lochan, now took charge of the state and initiated the task of expanding the frontiers of his state.

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Co-existence of the Mighty and the Meek

Once, during one of his hunting adventures, Jambu Lochan saw an unusual thing on the bank of river Tawi. He found a lion and a goat drinking water side by side from the river. He had never witnessed such an amazing thing before. It made him curious to unravel this mysterious incident. He contacted some wise people in the region to find out the truth. They informed the King that in their region, there is complete harmony and peace among the people. Nobody thought about usurping the property of others.

There is healthy respect among the people for each other 's rights and freedom. The effect of humans leading such a pious and austere life also rubs on the animals in the region. The mystery was, thus, unfolded before the king.

Jambupura became Jammu

Amazed by the nobility and graciousness in the region, King Jambu Lochan declared the region on the right side of the river Tavi, as his capital. A city was built by the name Jambupura, which, with the passage of time, was known as Jammu. King Jambu Lochan took great care of Bahu Nagar and Bahu Fort, built by his elder brother, Bahu Lochan. Many historians are unanimous in their findings that the two great Kings built and inhabited areas falling on both sides of Tawi, later known as Jammu and Bahu, in the 14th century. There were many smaller states in Jammu province. Thus, the conglomerate of 22 smaller fiefdoms, the Jammu State became famous as the land of valiant Dogras.

Dwigarta Republic (Jammu Pradesh) - Land of Brave People Various Indian historians of the present era agree With the Greek historians about description ofthe Jammu region. Accordingly, the plains and mountainous range of Jammu region were divided into two states - Abhisar and Kithi Aui. Poonch region was called Abhisar and the area by the side of river Ravi came to be known as Kithi Aui, presently known as Kathua. Sialkot was the capital of Kithi Aui republic. Barrister Kashi Prasad Jaiswal, in his book, 'Hindu Polity' describing the

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land of Dogras as the land of valiant soldiers, writes, "In the Himalayan range alongwith Kangra and Jammu, there were six Trigaffa republics, all of which collectively formed a federation called "Trigarta Shashtha". These six states were - Kondovpartha, Dandaki, Koshtaki, Jalamani, Brahm Mupta and Jalaki.

All the six Trigarta regions had a well-organised military force with every citizen being a trained soldier. The Republics of Dogras viz Kithi Aui and Sabhuti were collectively called as Dwigarta. In these states military education was compulsory for all. These states were spread across the river Ravi in the East and Chenab in the West. As per their constitution, the people had the right to choose or dethrone their King. It shows how deep and old are the roots of the Indian democratic system and the way it nurtured the democratic values. The Dogras, known for their valour, had crushed the foreign aggression on various occasions. Alexander, the World conqueror, killed by Dogras

The Dogras achieved the unique distinction of shattering Alexander's dream of world conquest on the strength of their bravery and courage, which became an important part of the history of Greece. It related to the period – 325 B.C. The Dogras fought the advancing Alexander and blocked his way in the Chandrabhaga region. According to the historian Satreyo, the brave and courageous armed forces of Kithi Aui republic thwarted the forces of Alexander in Vasohli area in the foot of the hills. Before Alexander, they had defeated the states of Abhisar (Poonch) and Pauras (region falling between rivers Chenab and Jhelum comprised some parts ofJammu & Kashmir). 'the Dogras had prepared a specific strategy 'Shakti Vyuh Yudh Rachna' to fight Alexander.

Chandrabhaga' proved Nemesis for Alexander

The forces of Alexander were demoralised. When he reached the eastern bank of river Beas, the Dogra warriers blocked his way. V.D. Mahajan writes in his book, "Pracheen Bharat', 'The army of Alexander had returned to their country

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from the western bank of river Beas in the month of October in 325 B.C. after facing crushing defeat at the hands of Dogra army. The Dogras sacrificed their life for defending the motherland, displaying exemplary spirit ofpatriotism, religious fervour and self-sacrifice for the sake of honour. Historian Anil Bharati in his article – 'Killing of Alexander in the field of Chandrabhaga' describes very aptly, 'In the field of Chandrabhaga, a brave Dogra shot a poisoned arrow at Greek Commander, Alexander. This arrow was the symbol of retribution for India 's honour. Alexander, hit by the arrow with blood gushing from his body, fell down. Soon thereafter, the Greek soldiers covered the unconscious commander with the shield. Badly injured, he was taken to his camp by the soldiers where he breathed his last. ' It is for this reasonthat Greek historians and writers have called Chandrabhaga river as 'Sandro Fagus' meaning the river which devoured Alexander.

Unfortunately, the Indian history has been written in a manner that the great victories achieved by the Hindu warriors have not been highlighted with the appropriate porfrayal whereas the defeats suffered by them have been exaggerated, so that the demoralising impact relating to their history alone stays in the memory: Calling

Alexander as the great warrior only highlights this prejudiced approach. In fact, when Alexander was defeated by King Porus, he was compelled to sign a 'Peace treaty'. Subsequently, Dogras dealt a crushing blow and destroyed Alexander and his army.

Turks, Moghuls meet their End

In the known history, since time immemorial, the Dogras with their unflinching faith in Hindutva, Indian traditions and national honour, have been fighting the foreign aggressors and invaders with pluck and valour. Like other regions oflndia, the Dogra history is also replete with highs and lows. In their history, there are many instances of gallantry displayed by the royal clans of 'Duttas' , 'Roys' and 'Devs'. Similarly, Jamwal clan

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of Suryavanshi Rajputs and royal clans of Chadhak, Billowaria and Jasrotia have distinguished themselves for the security and progress ofDogra land.

The Kings from 'Dev' clan have successfully foiled the aggression of Turks, Moghuls and Afghanis. The Dogras have carved out a niche in the glorious history oflndia while fighting the foreign invaders with fearless heroism. They defeated Mahmud Gazhnavi twice who indulged in destroying and plundering various places of North India. Dogra Jamwal, the descendants of Devs ruled Jammu & Kashmir till 1947. In fact, royal clans of Dev and Jamwal played a tremendous role in consolidating 22 smaller states of Duggar region and setting up the Dogra empire.

Dogra's Self - Esteem Prevails

It is a historical fact that the Dogras, barring few exceptions, never accepted the authority of Turks, Moghuls, Pathans and even the English. Towards the end of 16th Century, rulers of all the Dogra states tried to come together and forge a joint strategy to fight the Moghul Emperor, Akbar. Parvez Diwan writes in his book, 'History of Jammu State' 'All the rulers of the region, except Bahu King Paras Ram joined hands for the mission. Balbhadra of Lakhanpur, Bazuarg of Jasrota, Daulat Ram of Kot Bhagwal, Pratap Singh of Mankot, Ram Krishan of Bilawar and various other Kings of the present state of Himachal Pradesh put up a valiant fight against the Moghuls under the command of Bidhi Chand Katoch, the King of Kangra. Though the joint front of Dogra rulers lost to the shrewd strategy and intriguing diplomacy ofAkbar, but they continued their vigilant fight to maintain their independence and autonomy. The Dogras kept their heroic spirit alive and displayed superb willpower to sustain the struggle.

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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8

LEH (1949 and after) The Chinese invasion

Pakistan was not the only neighbour to covet the territory of this fabled frontier province. So did China. To begin with the Pakistani government gifted to its Chinese masters a substantial chunk (5,180 sq.km.) of the Ladakhi territory it had obtained through the 1948 cease-fire. (India and Pakistan are the two mothers who went to King Solomon for a decision on who the baby's real mother was. Solomon would have decreed that the woman who allowed the state of Jammu and Kashmir to be carved up could not have been its mother.)

In 1949, the Chinese snapped Ladakh's centuries-(perhaps a millennium-) old road link with Central Asia. Ladakh's position as the centre of those trade routes, already damaged by King Senge Namgyal, was thus lost forever.

The Chinese annexed Tibet in 1950. The events that followed resulted in the exile to India of the highest ranking Mahayan Buddhist, His Holiness the Dalai Lama. Hundreds of thousands of Tibetans—scholars, priests and laymen—accompanied him.

Some of these refugees came to Ladakh. They settled in places as far apart as Hanle on the Tibetan border and Choglamsar near Leh town. China's treatment of His Holiness, senior Buddhist monks and Tibetan monasteries has resulted in hostility for that country in Leh and Zafiskar in particular.

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Then in 1962, the Chinese army walked through India's unguarded Ladakh borders. China helped itself to the huge, but mostly uninhabited, Aksai Chin plateau. The Indian Army had not been posted at the border because the Indians and the Chinese were supposed to be 'brothers' in those days. The Chinese incursion was noticed several months later by some junior ranking policemen of India's central government.

Later that year India was formally attacked by China, in Ladakh as well as in what is now known as Arunachal Pradesh. In Ladakh, the Chinese army came up to Chushul (near the Pangong Lake). It fought the Ladakh Scouts and other regiments of the Indian army. India lost that war, and even more territory.

Another chunk of the Pangong Lake was taken by China (in addition to the portion of the lake legally held by Tibet under previous treaties). In all, China has since been in possession of 37,555 sq.km. of Ladakh. After the 1962 war, the border between India (i.e. Ladakh) and China (i.e. Tibet) was closed. Ladakh's links with Tibet were snapped, perhaps forever.

(Today the easiest—and only legal—way to travel between Ladakh and neighbouring Tibet is via Delhi. The traveller has to fly from Delhi to some Chinese city such as Beijing, and thence to Lhasa. In 1993, this writer had, as J&K's Tourism Secretary, submitted a proposal for allowing Indian pilgrims to travel through Dem Chok in Ladakh to the sacred Mansarovar Lake in Tibet. The Government of India has taken the matter up with the Chinese.)

Improved communications

Each war- three with Pakistan and one with China- has brought the people of Leh and Kargil closer to India emotionally as well as physically. Till the mid 1960s the only way to travel from Ladakh to the rest of India was on foot (or horseback) through very difficult, cold and high mountain passes. (Unless

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one got a lift on an Indian Air Force aeroplane, that is.)

India lost to the Chinese in 1962, mainly because there were no roads on which the Indian army could transport its men and materials into or through Ladakh. So the Indian government got a highway built between Srinagar and Leh. It is rather rough even by Indian standards. However, it is an awesome feat considering it is the world's highest road, considering India's meagre resources and considering the difficulty of building roads at those altitudes and in that freezing climate. Several engineers of the Indian army died while constructing the road.

Suddenly Ladakh was linked to regions quite different from itself— in terms of terrain, climate, race, religion, language and even levels of development. These contacts intensified when in 1974, many parts of Ladakh were thrown open to tourists. (Nine picturesque areas, including the Pangong and Tsomo Riri lakes, as well as Da-Hanu, continued to be restricted till 1993. In that year this author managed to overcome the objections of various paranoid organisations that opposed such opening up. Among other things I argued that since the Chinese allowed touriststo go to their part of the Pangong. Why shouldn't we. The Army Supported me. Mr. Rajesh Pilot. Then India's junior Home Minister accepted our argutnent. We succeeded.)

Unprecedented prosperity

All over the world tourism departments aim at receiving tourists equal to one percent of the population of the land. In 2004, foreign tourists equal to 0.25 percent of India's population visited India as a whole. In contrast, in 1088, the year tourism peaked in Ladakh, Leh received tourists equal to 35% of the population of the district and perhaps 120% of the population of the town. And that is not even the main reason why Ladakh is so prosperous.

The labour wage in Ladakh is almost three times as high

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as the rate laid down for India as a whole. There is no unemployment in Ladakh at the labour level, or at any other level. Indeed, Ladakh imports labour from the poorer states of India to build its roads. It also 'imports' skilled labour to repair its watches and shoes, sew its clothes, cut hair and cook Indian sweets. Very few of the waiters in Ladakh's many hotels are Ladakhi. The managers are almost all from Bengal. The owners, of course, are entirely Ladakhi.

How did Ladakh, impoverished till the 1960s, suddenly get so prosperous? Among Indian states, in per capita terms Nagaland gets the highest funds from New Delhi for the expenses of its government (for salaries as well as for roads, hospitals, etc.). Among all Indian districts Ladakh receives the highest. And this does not include what is spent on the army or what the army and its officials spend in the markets of Ladakh.

The people of the Valley of Kashmir are far more open to new ideas than the people of, say, Jammu or Uttar Pradesh or Bihar. This is evident from the fact that between 1900 and 1989, the majority of new ideas, in the government and in the private sector, took root in Kashmir before they did in these other places. This could have to do with Kashmir's greater exposure to tourists from Western Europe and the USA. Leh is even more open to new ideas. The concept of guest-houses, for example, caught on in in the 1970s and '80s in Leh and Zafiskar but not in, say, the rest of Kargil.

Reference: from the book "A History of Ladakh, Gilgit, Baltistan by Parvez Diwan.

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9

KARGIL (1947 and after) In independent India

In August 1947, as soon as Pakistan came into being, it wanted to annex Jammu and Kashmir, the multi-ethnic state that the Dogras had forged. So, on the 22nd October, the Pakistani army sent irregular tribal soldiers into Kashmir and Ladakh. The state acceded to India on the 26th October, 1947. The Pakistani army helped itself to Baltistan, Gilgit, and Hunza, which it now administers under the name 'the Northern Areas'. It denies these Areas political representation, despite directions from its own Supreme Court.

1972: A line of control is drawn

On the 10th December, 1972, a 'line of control' was demarcated by the Indian and Pakistani authorities. This is a border, without calling it that. The agreement was reached at Mini-marg, a village near the dzoji La.

The LoC runs somewhat thus: From the Karobalgali passes it goes to Neeral (on the Indian side) and Brelman (under Pakistan's control). It then proceeds northwards to Chet (in Kargil), the Chhorbat La (in Turtuk) and finally Thafig (also on the Indian side).

Pakistan punishes Kargil in every war imposed by Pakistan, the people of Kargil have supported India, for which they have paid a heavy price.

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Pakistan has not forgiven the all-Muslim Kargil for this: nor for spurning the Pakistan-inspired secessionist movement of the 1990s.

During each war, and often in peacetime as wells the towns and villages of Kargil have been shelled by the Pakistani army, which is stationed on hilltops overlooking Kargil. Once in every few years (as in 1965, 1971 and 1998) it vents its anger by hitting Kargil town and the villages near it with rockets and mortars, killing people and destroying property.

In 1998, Pakistan fired rockets from its side of the line of control several hundred times. It would routinely shell vehicles travelling on the Kargil section of the national highway. It also destroyed the Kargil district hospital, an upmarket hotel and, more ominously, two Shia mosques. 1 doesn't believe that even Pakistan would deliberately have tried to destroy Shia mosques. But during the 1999 war the Pakistani army officially boasted of the accuracy of its artillery. Does that mean that the mosques had been targeted, and not hit by mistake?

And yet, as I have repeatedly emphasised in this book, and in its companion volumes, interpretations of history in terms of one religion versus another or one sect versus the other are never correct. It is true that the Shias of Kargil have always stood by India. Alexander Evans, a British researcher, told me that when he visited the camps in Muzaffarabad (POK) where Kashmiri militants are trained, there was not a single trainee from Kargil.

The people of Turtuk in Leh district, on the other hand, were not so immune. (Turtuk, incidentally, was under Pakistani occupation till 1971, when it was liberated by the Indian Army.) The people of Kargil have acted the way they did out of principle and conviction, and not merely because of Pakistan's sectarian bias against them. And God has rewarded the Kargilis for this-

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generously.

Kargil: the peace dividend

Ask any informed person from Jammu and Kashmir as to which the most backward, the most illiterate district of the state is. Chances are that you will be told 'Kargil'- or, may be, 'Kupwara'. (Both answers are wrong. Budgam has, at least since 1981, had been the most illiterate. In that year, Kargil was eleventh among the fourteen districts of the state in terms of literacy.)

Kargil has this image of a people crippled by superstition and feudal lords, and of women subjugated by a malign interpretation of Islam. It is supposed to be a district where the most regressive social customs thrive. I have known, and loved, Kargil and its people since 1982. Since then I have been plied with endless propaganda about Kargil. However, I have seen very little of these supposedly medieval practices.

When the results of the 2001 census came in, Kargil was the biggest surprise: for everyone except me. In terms of literacy is rank zoomed from no. 11, close to the bottom, to no.5, almost on a par with Srinagar, which, till 1989, had been the seat of the finest education in the state. This was the biggest jump for any district.

This sudden change was the result of the work of dedicated civil servants and massive government funding. However, none of it would have worked had the people themselves not been determined to develop their district in every respect.

Every teenaged girl I know in Kargil says the same two things, 'I have a very long way to go [in order to achieve the high goals that I have set myself],' and 'I want to be a doctor.'

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In 1993, I started the Ladakh Festival- in Leh as well as Kargil. It was a grand success in Leh, but a virtual non-starter in Kargil. 'The people of Kargil are followers of [the austere, arch conservative] Ayatollah Khomeini,' my juniors told me, year after year. 'They are not into festivity and festivals.' When they saw me determined to hold a festival in Kargil, they offered me a lollipop. 'We can have a children's painting contest,' one of them said.

I had wanted a festival to showcase Kargil's culture before tourists, to boost employment. 'But they don't like tourism,' a Kargili now settled in Leh insisted. 'They think that tourism corrupts society. They don't want to set up "paying guest accommodation" [bed and breakfast] inside their own houses. They feel it will corrupt their girls.'

But equally, year after year, the elders of Kargil would tell me that they wanted tourists, as well as festivals. One of these elders has been campaigning for the extension of the paying-guest scheme to Drass and some other parts of Kargil: something we had not done all these years because some of my juniors had painted this ultra-orthodox picture of Kargil.

So I decided to bypass the hierarchy below me and reach out directly to the people of Kargil. In June 2000, I piloted the first independent Kargil Festival and it was a great hit.

Earlier that year, the State decided to focus on Kargil during the Republic Day celebrations in New Delhi. Unexpectedly, parents agreed to let their teenage daughters spend a month and a half in Delhi for this as well as the Surajkund Mela. At the Mela we again emphasised the culture of Kargil.

One of the fixtures of the Surajkund Mela is a 'fashion show' where models wear costumes from the region being

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highlighted. I was told that there was simply no way that the girls from Kargil would participate in the fashion show. And if they did, they would be lynched when they went back home if the fashion show was shown on television.

In the event, the girls from Kargil agreed without much prodding both to the fashion show and its telecast. And they weren't lynched either. True, the clothes that they wore were extremely demure. But the poses the girls and boys from Kargil, who all looked very Central European, struck on the ramp revealed something important. All those years they had been watching professional models on television, and dreaming of the day when they'd be on the catwalk themselves.

Reference: from the book "A History of Ladakh, Gilgit, Baltistan by Parvez Diwan.

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10

GILGIT- BALTISTAN

This is the north frontier of India, where the boundaries of six countries touch one another—Pakistan, Afghanistan, china Tazakistan, India and Tibet. It is the most inaccessible area of the strategic importance, which links the Middle Asia and South Asia and through which the entire Asia can be controlled. In the year 1935, when Soviet Union occupied Tazakistan the British Government realising the strategic importance of Gilgit signed an agreement with Maharaja Hari Singh and took over the responsibility of administration and security of a part of Gilgit for 60 years on lease. They named it as Gilgit Agency. For security of this area, the Britishers also employed an irregular armed force in the name of the Gilgit Scouts. They returned this area to Maharaja in 1947.

Strategically, Britain considered the Gilgit Agency very important because it was a road like for Middle East countries and it was important for the protection of their economic interest as well as for preventing the expansion of Russia and China. America too had thought of taking control of Gilgit. Soviet Union also had similar aspirations just to stop Chinese influence in this area. That is why Russia time and again supported Pakistan during the sixties. Today, China had deployed its 11000 soldiers n Gilgit. During the last few years, China has invested about Rs. 65000 crores in this area and many Chinese companies and their staff work there.

Gilgit touches Khaibar—Pakhtunkhwan (Pakistan) in

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the West, Watwan passage of Afghanistan in the North and China in the north-east. The total area of Gilgit-Baltistan is 72,971 sq. Km. and population is about 10 lakh. In 1947, Pakistan invaded this area and illegally occupied. Its administrative centre is Gilgit City.

In 1970, Pakistan formed a new administrative unit as 'Shumali Elake Jaat' (north region) by merging together Gilgit Agency, Balistan of Ladakh Wajarat, Hunja and Nagar areas.

Pakistan claims that this area is a separate from disputed Jammu and Kashmir, whereas even the European Union accepts it as part of the vast Jammu and Kashmir territory.

There are about 20,000 unique sculptures engraved on the rocks and stones at about 10 places along Karakorum highway and between Hunja and Shatiyal. These artistic pieces have been created by the traders and also the pilgrims alike. Many of these art pieces belong to 5,000 to 1,000 BC. These wall-paintings include the figures of animals and men hunting the animals have been shown bigger than the hunters. Archaeologist Karl Jetmer has written about these stone carving and rock painting in this book Between Gandhar and the Silk Route: Rock-Carving Along the Karakoram Highway.

The word Northern Region was first used by the United Nations to explain the north region of Kashmir. In 1963, a part of this Northern Region known as Shaksgam Path was temporarily given to People 's Republic of China by Pakistan.

Northern Light Infantry is a local unit of Pakistan army and it is believed that it helped Pakistani forces during the 1999 Kargil war, against India and also participated in the war. In that war its 1500 soldiers were killed and they were buried in the northern region. Lalak Jaan, who was a Shia Imami Pakistani army "Nishan-e-Haider" for fighting bravely against India.

On August 29, 2009, Gilgit-Baltistan Empowerment and

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Self-Rule Order, 2009, was passed by Pakistani cabinet and it was also signed by the President of Pakistan. This order authorises the people of Gilgit and Baltistan for self-rule through their own democratically elected Assembly. This step of Pakistan was widely condemned by not only India, but also by the people of Pakistan and Gilgit-Baltistan.

In the beginning of September 2009, Pakistan signed an Agreement with China, according to which China will set up a big power project in Gilgit-Baltistan. Besides, they plan to build a dam for producing 7000 megawatt power at Bunzi of Astor district. India has registered its protest, but Pakistan has dismissed it saying that India has no legal right to intervene. Gilgit-Ballista has been divided into two divisions and seven districts for the convenience of administration. Two of these districts are in Baltistan and five come under Gilgit division.

Ref: Jammu & Kashmir an analysis of facts

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Pre-Independence period of Dogra Regime

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11

HARI SINGH RULE

Every Ruler or Government, worth the name, does something or the other for the benefit of the people and the progress of the State or country according to the means available to them. To describe every thing done by Maharaja Harisingh in that direction is neither necessary, nor possible in this small volume, It is, therefore, intended to discuss only the outstanding events of his regime which place him among the great men of the country, with only a brief mention of his great hand in the development of the State.

It has become a fashion for all Governments to publically compare their budget allotments under different heads to those of the previous Governments, to prove how irresponsible the latter had been, regardless of whether proportionate results were also achieved or not. This is at least what all the three elected Governments of the State after the end of ruler ship have been harping upon; by comparing their expenditure on education health social welfare, roads and so on, with that of the Maharaja's time. But is there any Government in the world which is spending to day, just as much as its predecessor Government was spending years ago ? The progress of a State depends not on how much money was spent by it, but on how it was spent and what results were obtained. Huge amounts can be spent by pouring them down the drain and even small amounts well spent may achieve better results. Even if expenditure is to be taken as a criterion, did not Maharaja Harisingh spend more

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than Maharaja Pratap Singh ? or would not he too, have allotted much larger amounts to all heads, and with lesser corruption and better supervision prevalent during his regime, achieved better results, if all the money now available to the State in the form of Central assistance had been available to him, in addition to the present increased revenue of the State ?

His critics and the protagonists of socialism, no doubt find, in the Privy Purse he was drawing, a stick to beat him with, but that only shows their prejudice or ignorance. His privy purse of rupees twelve lakhs, was increased to twenty five lakhs, only after he amalgamated with the State his private property inherited from his father yielding an annual income of rupees twenty four lakhs. This he voluntarily reduced to rupees fifteen lakhs during the World War 11, Considering that he maintained a large private establishment, under- took unending construction works which provided the much needed employment to thousands of people, and made charitable grants frequently out of this privy purse for the welfare of the needy both inside and outside the State, the amount can hardly be termed excessive. That these Princes looked rich did not necessarily mean that they were so, only they knew how to live and look rich. Whatever wealth they had was the result of accumulative savings for generations. The Privy Purses were hardly sufficient to enable ' them to live with the dignity their status demanded. Maharaja Harisingh was richer when his father died than when he died himself. The proportionate personal benefit which he received from his privy purse after accounting for the benefit of employment etc. which he provided to others was not more than that obtained in one form or the other, by "Servants of the people" who replaced the rulers, after Independence.

Maharaja Harisingh had many qualities of head and heart. With his great moral courage and profound sence of patriotism he performed deeds at personal risk which can be an

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envy of any freedom fighter of his time.

It is well known that the British policy with regards to the ruling Princes was to weaken them on each new succession. They left Maharaja Gulabsingh, the Founder of the entire State of Jammu and Kashmir alone, after he refused to entertain a proposal for appointment of a British Political Officer which was being pressed on him. But during Maharaja Ranbirsingh's time a British Officer was, for the first time, stationed as political agent at Gilgit in 1877. Efforts to maintain a British political officer in Kashmir for only six months in a year were also made about the same time, under the pretext of looking after and dealing with the European visitors over whom the

Durbar had no criminal jurisdiction. Consistent efforts were then made to raise the status of the political officer to that of a Resident. On strong resistance from Maharaja Ranbirsingh the question of raising the status of the political officer was dropped and the political agent in Gilgit withdrawn in 1881, Soon after Maharaja Pratapsingh's accession in 1885 the Gilgit Agency, consisting of Gilgit Wazarat the chieftains of Hunza and Nagar, the Chilas District in Indus Valley, and Punial, Yasin, Ashokoman was re-established in 1889 under Col. A. G. Durand and the status of the political omcer in Kashmir raised to that of a Resident. To cover this step Maharaja Pratap Singh was deprived of his powers on account of what was called his "voluntary abdication" on the charge of having conspired with Russia. The entire administration was taken over by a State Council presided over by his younger brother Raja Sir Amarsingh, a great Statesman and Administrator, until 1891 when Maharaja Pratapsingh himself became the President. The Resident who had by than considerably improved his position, however, continued to exercise a great deal of authority in the name of advice. The state Council was abolished in 1905 when partial powers were restored to Maharaja Partapsingh. Full powers were, however, restored to him only in 1921, with the

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almighty Resident, who was instrumental in depriving him of, and restoring to him, his powers at will, always staring at his face.*

To give an idea as to what these Residents meant to the Rulers of the Indian States, an extract from the Private Journals of the Marquis of Hastings dated 1st Feb 1814 is reproduced below:

"In our treaties with them (Indian Princes) we recognise them as Indian sovereigns, then we send a Resident to their courts. Instead of acting in the manner of Ambassador he assumes the functions of a dictator, interferes in all their concerns, countenances refractory subjects against them and makes the most ostentatious exhibition of this exercise of authority. To secure himself the support of our Government, he urges some interest which, under the colour thrown upon it by him is strenuously taken up by our Council and the Government identifies itself with the Resident not only on the single point but on the whole tenor of his conduct".

To give some inkling of how some Residents behaved, a line from Col. Maculay's letter to the Raja of Cochin is quoted below:—

> "The Resident will be glad to learn that on his arrival near Cochin the Raja will find it convenient to wait upon him"

With the British policy as it was Maharaja Paratapsingh's successor would have found it extremely difficult even to maintain the status quo, but Maharaja Harisingh took upon himself the uphile task of regaining the past authority of the Ruler of the State. He started with asking the Resident in Srinagar to remove the Union Jack from the Residency Buildings and when he failed to comply, by having it removed by a detachment of State Forces. This was a very daring step and invited serious correspondence with the Political Department as

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a result of which} though the Resident was again permitted to fly the Union Jack at Srinagar, he was prohibited from moving down to Jammu during Winter as he had been previously doing. During winter therefore, he shifted to Sialkot in British India instead of Jammu.

As regards Gilgit Agency, though the institution itself could not be done away with, the British and Indian Army troops, stationed there under one pretext or the other, were replaced by the State troops and the Maharaja's writ ran better through his Deputy Commissioner (Wazir-e-Wazarat) at Gilgit, assisted by the Commander of the State coops stationed there. Once, in 1925, when the author happened to lie Gilgit, the British Resident in Srinagar was to fly from Srinagar to Gilgit, for the first time Tor the inauguration of the fair weather airfield constructed five miles away from Gilgit town.

The political agent was to receive him at the aerodrome, but Deputy Commissioner Thakur Chattar Singh Charak was directed by Maharaja Harisingh to receive the Resident at the point three and hull' guiles from the town and no further. The Deputy Commissioner erected his Shamiana exactly at 3.5 miles and waited for the Resident to come. The flight of the Resident had, however, to be cancelled, owing to bad weather at the last moment.

Even after encroachment on the part of the Resident on the internal sovereignty of the State was reduced to a large extent, the state still had no jurisdiction over the British and Indian subjects of his majesty the king Emperor within its own borders. Maharaja Harisingh was not a man to shut his eyes to this state of affairs. He made ceaseless efforts to regain the authority, which Maharaja Gulabsingh alone had been in a position to exercise, and finally succeeded in securing for his law courts full criminal jurisdiction over all British Indian subjects and full civil jurisdiction over every body in the State regardless

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of his nationality.

There were only two courses open to the rulers of the Indian States, to rule over their subjects. The first and the easier one was to keep the Resident and the political department pleased, and care not the least about the people. The other was to look after the people well and care not the least about ths Resident or the Political Department. As the First Course smacked of slavery Maharaja Harisingh, as great men would always do, chose the second one and boldly faced the risks involved. He knew that a great majority of his subjects were Muslims and that Hindus though in a minority were the people who through great sacrifices had enabled his ancestors to extend the limits of his State from Jammu to Tibet, he showed no preference for either of them. He declared "Justice" as his religion and merit as a deciding factor for all types of employments. Caste, creed, religion or sex received no consideration. Employment in the State Army, however, remained reserved as in British India for fighting classes only, including Mohammadans from Jammu Province, who formed a substantial part of the State Army.

Some people in India are today looking for a definition of secularism, one fails to understand what was wrong with the secularism described above practised by Maharaja Harisingh several decades ago and now even embodied in the Indian Constitution. The trouble is not with the' definition of secularism, but with the proper application of it. The real trouble is that Muslims in the Indian sub-continent with of course a few exceptions are averse to any secularism which does not give them preference on the basis of religion. The partition of the country, and attempts at perpetuating special status, or greater autonomy, for the Muslim majority State of Jammu and Kashmir, are the proof of it, if any is needed.

As was expected the Muslims in Kashmir soon got fed up

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with this policy of equal chances for all on the basis of merit and following demand a share in Government services on the basis of religion.

On pressure from all sides including the political Department and communal and political parties, both inside and outside the State, the policy of selection by merit was modified to allow fifty percent appointments, and scholarships for higher studies, to go to Muslims. The Scholarship Selection Board and the Services Selection Boards were instructed accordingly.

To improve the chances of State subjects for getting superior appointments in the State. Maharaja Harisingh issued orders to the effect that claims of hereditary State subjects for appointments should be considered superior to those of outsiders. The term hereditary State subject was later defined to mean all persons born and residing within the State before the commencement of the reign of Maharaja Gulabsingh and those, who settled therein before the commencement of Samvat year 1984 (1885 A.D.) and have been since permanently residing therein.

Non-State subjects were then completely debarred from getting into the State service or from purchasing agricultural land in the State.

This went against the interests of a large number of Hindus settled in the State after 1885, and rendered them ineligible for State services and for purchasing land in the State, but was so much in the interests of the Muslims that all the three Governments of the State, after Maharaja Harisingh, have clung on to this order even though it makes nonsense of their claim that the State was as good a part of India as any other State. And when the people of the rest of the country demand an explanation for this discrimination, the blame is laid at the

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Maharaja's door, although many other things done by the Maharaja and even the Maharaja himself have been wiped out by them.

Many other steps were taken by Maharaja Harisingh to ensure that the Muslims do not suffer in any way. The passing of land Alienation Act, which protected the tenants, (almost all Muslims), from being deprived of their land holdings by money lenders, almost all Hindus); and the Agriculturists Relief Regulation under which the maximum interest that could be charged by money lenders from lip agriculturist debtors was 12 percent, provided the total interest charged(lid not exceed 50% of the amount originally lent. Both, though fully consistent with the Maharaja's declaration that his religion was justice, went in favour of Muslims.

Some other steps taken by Maharaja Harisingh to overhaul the administration and transform the life of his subjects are very briefly mentioned below to show that while special problems, which he alone had to face engaged his attention, his normal efforts to better the lot of his people were in no way neglected.

At the time of his Raj Tilak, he conferred on the villagers the right to possess as Raj Tilak boon additional land up to 100 percent of their Shamlat Deh, out of the Government Khalsa land available in their villages. This too mostly benefitted the villagers of the Kashmir Valley, as no such land was available in Jammu villages. He assimilated his private property yielding an annual income of Rs. 24 lacs into the State. He introduced free but compulsory primary education in all Municipal Towns, increased the number of educational institutions from 706 in 1925 to 20728 in 1945 raised special grants for encouragement of scholars of backward communities and of Mohammadans to more than double, and sanctioned special scholarships for Sikh students. Two main Hospitals with up-to-date equipment were

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constructed one in Jammu and the other in Srinagar. Several dispensaries, Leper asylums and centres for anti-rabic treatment were established, and maternity blocks were also added to Zenana Hospitals. Smoking by children below fourteen was prevented by law. Temples were opened to Harijans in 1931. Widow remarriage was legalised in 1923. Age limit for marriage was fixed as 18 for boys and 14 for girls long before the Sharada Act was passed. Co-operative Society and Agricultural credit societies were introduced. Consolidation of land holdings was accelerated. 'Beggar' or forced labour was altogether abolished. The system of grain control was established to help the poorer section of the population. Several important roads and bridges were constructed. Irrigation and flood control works were undertaken. Industrial board was constituted. Some new, Government and private factories, and a woollen mill came into being. Mining resources of the State were exploited. Industrial exhibitions were arranged. The Army and Police were reorganised on modern lines.

In the field of democratic participation by the public in the administration of the State Maharaja Harisingh was among the most progressive Indian Princes of his time. He appointed a franchise commission and in 1934 the Praja Sabha (State Legislative Assembly) was brought into being consisting of 75 members; 60 of whom were non-official including 33 elected members. In 1934 the number Constitution Act received the Maharaja's assent. In 1943 by grant of letters Patent the Status of the State High Court was raised to that of other High Courts in India. In 1944 a democratic element was introduced in the State Cabinet for the first time, by the inclusion of two ministers out of the elected members of the Praja Sabha.

These are a few of the so many steps taken by Maharaja Harisingh towards the uplift of his people. A comparison with other States would show that the State during Maharaja Harisingh's regime was easily one of the most progressive and

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advanced States of India.

Maharaja Harisingh was a patriot to the core and had a great sympathy for the Congress struggle for independence. He often prayed for its success. When once someone suggested that if Congress came to power the Princes would not have a fair deal. "Oh,a small hut in Independent India would do for me" was his reply. Little did he realise what Nehru's Independent India would mean for him. He made a bold speech at the Round Table Conference in 1930, declaring himself as Indian First and Indian Last and expressing his sympathies with the cause of Indian Independence much to the dislike of the Political Department. He also pointed to the communal harmony in his State as a living example of how Hindus and Muslims could live peacefully like brethren. This in fact was an invitation to trouble and before he returned to the State after the Round Table Conferences, the Political Department had set the stage for communal trouble of the worst type in the State.

The idea of carving a Pakistan had already been mooted by Allama Iqbal as early as 1924, and Kashmir was naturally a part of it The Mohammadans of the State could not remain aloof for long from happenings in British India, where relations between Hindus and Muslims were far from cordial. The reason being preference of Mohammadans for Muslim unity to patriotism, which was to a large extent encouraged by the introduction of separate electorate under to the montage Chelmsford reforms in 1919. In the light of this for any Hindu to win the confidence of Mohammadans was next to impossible Mahatma Gandhi was unable to do so in spite of all that he did for them even at the cost of his life. Maharaja Harisingh was he did for Grievances the people did have, as they always would for no exception Not only Muslims but Hindus too had them and there was no lack of effort on the part of the Maharaja to do everything possible to redress the genuine grievances. Deep rooted communalism was, however, difficult to satiate. The

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more His Highness Government did to satisfy the Mohammadans the more dis-satisfied they pretended to be.

As a matter of fact the Maharaja had a soft corner for Moham- madans. Nawab of Palampur was one of his best friends Nawab Khusro Jang a Mohammadan from Hyderabad was his Minister-in- Waiting and Army Minister for years, his personal Staff such as A.D.Cs and others often consisted of Mohammadans, even his cooks were often Mohammadans, until a planned but unsuccessful attempt to I poison him through one of them was made, which put him wise. He contributed for the construction of Mosques and sometimes attended Id-gahs. With such pro-Muslims leanings the question of his being unfair to them did not arise. Even at the time of the agitation in 1931, two out of four Cabinet Ministers, some heads of the Departments, and several high ranking gazetted officers were Muslims. In any case the Muslims in Kashmir were very much better off than the Hindus in the Hyderabad State who formed 90 percent of the population of that State, but whose ruler, the only, His Exalted Highness in India, was a Muslim.
Minor communal disturbances sometimes took place both in Jammu and Srinagar which gained intensity after Sheikh Abdullah a a product of the Aligarh Muslim University and a dismissed school teacher appeared on the scene in 1930 as a communal leader. This gave impetus to the communal ideology in the State, and with the blessings of the Political Department the stage was soon all set for communal unrest. The arrangements that had been made by Muslims in British India for DIRECT ACTION in Kashmir were geared up and only the word "GO" was awaited. Maharaja Harisingh appreciating the situation and sensing trouble issued the following historical proclamation to his subjects on 9th July 1931 :

"To my Beloved People

" From time immemorial all communities within the State

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have been living on terms of closet harmony and friendship with each other and I used to take the greatest pride* in the 23 fact that we were free from all communal strife, I am, therefore, pained to see that quite recently owing to external influences a changed and regretable attitude is observable in certain sections in the cities of Jammu and Srinagar. This is greatly to be deplored. Two unfortunate incidents which occurred recently in Jammu city and which could not by any stretch of imagination be associated with any action or policy of my Government and for which the responsibility rested solely on the persons involved have been seized and widely misrepresented inside and outside the State, so as to convey to those who are not in a position to know the true facts that the policy of my Government It is not my intention to is such that Islam is in danger. deal with the details of these incidents in this message as they are being dealt with separately. So far I have preferred that my Government be judged by its actions alone. But numerous representations from my loyal subjects of all sects and creeds have reached me within the last few days to the effect that such agitation even though at present it finds no response generally, is calculated to promote communal strife and might even lead to breaches of the public peace in some cases. It has accordingly been deemed necessary to make this formal announcement of the policy and intention of myself and my Government in regard to such propaganda and communal relations within the State generally.

"At the beginning of my rule I announced to you, my people, that my religion is justice, that announcement has guided all my public acts and policies and I shall always adhere to it. I have not made, and will not permit any discrimination against any class of my people on the grounds of religion. The humblest of my subjects has free and direct access to me and any grievances my people may have can be submitted by them personally to me, subject to two fundamental conditions viz :

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(i) That Political activities are confined within the law of the land, and

(ii) That no outside intervention is sought in any shape or form.

I have no desire whatever to suppress the legitimate requests and voice of my people, whether expressed in writing or in speech. It is my intention to give effect to these views, but I am unable to do so as long as communal tension exists, for fear of aggravating it. Consequently, the first essential is that the leaders of the various communities should take immediate action to put a stop to all political activities tending to prevent the establishment of friendly relations between them. As soon as it is reported to me that any community has faithfully responded to my desire, I shall be prepared to receive and consider most sympathetically any representation that community may desire to submit to me.

"Every person within the State is, and shall always be, free to practise his own religion, subject to the paramount necessity of maintaining public peace and public order. I particularly wish to refer in this connection to a malicious rumour now being spread that cow killing is shortly going to be permitted. This malicious rumour has no foundation whatsoever and it has given me great pleasure to receive from Muslim subjects spontanous condemnation of such an insinuation likely to injure the religious susceptibilities of any other community. There is no question whatever of making any change in the matter. "In regard to the recruitment for the State Services prior consideration is, and shall always be, given to the public interest and the obligation of maintaining the efficiency of the administration at the highest possible level can never be overlooked. There is also no desire to follow a blind rule of percentages for the various communities irrespective of considerations of qualification and merit. Subject to these considerations the policy governing recruitment will be such

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that no one class or community should gain undue preponderance in any branch of the public service and that adequate representation is secured to duly qualified classes and communities of my people. Instructions to this effect have been recently issued and I shall watch closely their practical execution by my officers.

"I have dealt above in a brief manner with what I conceived to be points of major importance with regards to which some misunderstanding prevails in certain quarters. I trust such misunderstanding will be dispelled by this authoritative enunciation of my beliefs and intentions, with regard to these points. It is my aim to carry on the administration in consonance with these views in your best interests. Whenever I have found that any of you have been led into wrong action, I have always tried to make you see the error of your ways and to win you over to the right path by reasoning and conciliation. I am not a believer in false ideas of prestige, for I hold that just action is a sign of strength and not weakness. But should, God forbid, all appeal to reason fail, I must discharge in effective manner the supreme responsibility which rests on me for the administration of law and order. I cannot allow my Govt. to be coerced by threats into unjust action and it is my duty to protect the law abiding sections of my people from encroachments on their lawful rights. The immediate burden of maintaining law and order necessarily falls on the magistracy and the Police whose duty it will be to see that the law is upheld at all costs, and where law is defied, its authority will be restored. It is the duty of the Police to act impartially and with calm judgement in such emergencies ané I wish to assure them that they will be supported by myself and my Government in the due discharge of their duty and will not be sacrificed to unjust clamour or intrigue.

"In conclusion, I trust that the old policy of "Live and Let live" which characterised your relations with each other in the

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past will be restored. It is easy to excite public feeling by misrepresentations, but it is difficult to restore harmony and friendship. Do not attribute false motives to those placed in authority over you or to one another. As regards people outside the State, whether Hindus or Mohammadans, I ask them not to interfere in any way in matters concerning my State and my people, as I do not interfere in matters concerning British India and British Indians. The whole basis of political action is impaired if one political unit interferes in the domestic concerns of another. I do not wish to claim immunity from legitimate criticism of the acts and policies of my Government, which, I have no hesitation in saying, have always been designed to promote the normal and material progress of my people. It is my duty and my one aim in life to maintain the progressive character of my administration. But this end is defeated by unjustifiable outside intervention which has, within the last few weeks, done nothing but immense harm 10 the true interests of you all. I pray to God that you will receive light of truth and wisdom and that you will live peacefully and happily with one another as before.

Sd/- HARISINGH
G.C.I.E., K.C.V.O., LL.D.,
Maharaja of Jammu and Kashmir".

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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12

INTRODUCTION OF STATE SUBJECT

It was a revolutionary era with several changes he made in the customary, criminal and civil legal systems in the state. His most revolutionary notification with far-reaching effect was a law dealing with the basic, civil and political rights of a person born in J&K called as **'hereditary state subject'**. Maharaja Hari Singh experienced that many wealthy and influential rich men and high flying British and Indian bureaucrats were planning to purchase immoveable property in J&K. The Maharaja told his advisors that he would not allow J&K to be converted a rich men colony like South Africa. In spite of a strong reservation from his Durbar mostly from Kashmir officials, the Maharaja came out with a unique notification to shut the doors of the busy bodies and rich intruders from entering J&K to settle. His law which has given J&K a distinction in the property right was described as a blunder by many critics of the Maharaja. It was this 'blunder' that barred the outsiders from purchasing the immoveable properties in J&K from the local residents. There is a strong opinion in India that had the Maharaja not introduced such a law, the demography in J&K would have naturally undergone a sea change in population. Those who raised 'Quit Kashmir' slogan in Kashmir against the Dogras forgot these were Dogra kings who have protected their eternal right to property and land.

Royal Proclamation, 1927
Saviour of Kashmiris

No I-L/84. The following definition of the term 'State

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Subject' has been sanctioned by his Highness the Maharaja Bahadur (Vice Private Secretary's Letter No. 2354, dated the 31st January, 1927 to the Revenue Member of Council) and is herby promulgated for general information.

The term State Subject means and include
Class I. All persons born and residing within the State before the commencement of the reign of His Highness the late Maharaja Gulab Singh Sahib Bahadur, and also persons who settled the rein before the commencement of samvat year 1942, and have since been permanently residing therein.

Class II. All persons other than those belonging to Class-I who settled within the State before the close of samvat year 1968, and have since permanently resided and acquired immovable property therein.

Class Ill. All persons, other than those belonging to Classes-I and II permanently residing within the State, 'Who have acquired under a rayatnama any immovable property therein or WIZO may hereafter acquire such property under an ijazatnama and may execute a rayatnama after ten years continuous residence therein.

Class IV. Companies which have been registered as such within the State and which, being companies in which the Government are financially interested or ms to the economic benefit to the State or to the financial stability of which the Government are satisfied, have by a special order of His Highness been declared to be State subjects.

Note I. In matters of grants of the State scholarships State lands for agricultural and house building purposes and recruitment to State service, State subjects of Class-I should receive preference over other classes and those of Class-11, over Class-111, subject, however, to the order dated 31st January, 1927 of his Highness the Maharaja Bahadur regarding employment of hereditary State Subjects in Government service.

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Note II. The descendants of the persons who have secured the status of any class of the State Subjects will be entitled to become the State Subject of the same class. For example, if A is declared a State Subject of Class-II his sons and grandsons. Will ipso facto acquire the status of the same Class-II and not of Class-I.

Note-III. The wife or a widow of a State Subject of any clan shall acquire the status of her husband as State Subject of the same class as her husband, so long as she resides in the State and does not leave the State for permanent residence outside the State.

Note IV. For the purpose of the interpretation of the term 'State either with reference to any law for the time being in force or otherwise the definition given in this Notification amended up to date shall be read as if such amended definition existed in this notification as originally issued. The notification was modified in 1932 as under;

State Subject

(Issued by order of His Highness the Maharaja Bahadur dated Srinagar, the 27th June 1932; (14th Hary 1989, published In Government Gazette dated 24th Har, 1989).

No.J3L/J989: Whereas it is necessary to determine the status of Jammu and Kashmir State Subjects in foreign territories and to inform the Government of Foreign States as to the position of their nationals in this state, it is hereby commanded and notified for public information, follows:

1. That all emigrants from the Jammu and Kashmir State to foreign territories shall be considered State Subjects and also the descendants of these emigrants born aboard for two generations. Provided that, these nationals of the Jammu and Kashmir State shall not be entitled to claim the internal rights granted to subjects of this State by the laws, unless they fulfil the conditions laid down by those laws and rules for the specific purposes mentioned therein.

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2. The foreign nationals residing in the State of Jammu and Kashmir shall not acquire the nationality of the Jammu and Kashmir State until after the age of 18 on purchasing immovable property under permission of an ijazatnama and on obtaining a rayatnama after ten years continuous residence in the Jammu and Kashmir State as laid down in Notification No.-l-L. of 1984, dated 20th April, 1927.

3. Certificates of nationality of the Jammu and Kashmir State may, on application, be granted by the Minister-in Charge of the Political Department in accordance with the provision of Section-I of this Notification.

The Maharaja revolutionary induction to raise the social and political life of a common subject.

This gave a life line to the State Subjects and lasting security for generations.

Today the residents of J&K are protected by this notification of the Maharaja and not by virtue of Article 370 of the Indian Constitution. How great was the Dogra Maharaja as secularist of the highest order. 87% was the Muslim population in his State. He had no compulsion nor there any pressure or a demand to this effect. The Dogra Maharaja could have brought back of Hindus from Jammu or even Punjab if he so wished and settled them in Kashmir or elsewhere. Instead, the Dogra king stood to his commitment, **"My religion is Justice"** and reserved this **'piece of heavens'** for the sons and daughters of the soil.

Could they who started 'Quit Kashmir' campaign against Hari Singh justify their movement?

This law forms part of the present legal system which differentiates J&K status from other Indian State.

Reference: from the book Plight of Jammu & Kashmir

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13

13 JULY 1931 – THE BLACK DAY HOW MANY OF US KNOW ABOUT THE TRUTH JAMMU AND KASHMIR LITTLE KNOWN FACTS:

The government that claims to be secular and nationalist is observing the Black Day of 13th July as a Martyrs Day every year thus pouring salt on the wounds of the Hindu Community which suffered untold atrocities at the hands of the Muslims during this completely communal movement which later spread up to the farthest corner of the state that is Kotli and Mirpur and thus keeping this communal tension alive. The happening of that day is not likely to be taken as free form prejudice unless supported by authentic and impartial version available and leave the readers to form his own opinion, as to whether the persons who were killed as a result of the police/military firing during these communal disturbances, merited being officially declared as National Martyrs

.

A British military officer helped one Abdul Qadir, a religious fanatic from Peshawar to enter Kashmir in the guise of his cook. He was an excellent speaker at a meeting at Khanqa-i-Mualla, he was invited to speak and he made a speech there of highly seditious and communal nature, quoting frequently from Quran in support of his inflammatory statements. He was naturally arrested and charged before the court. The crowds not only resisted the arrest and shouted objectionable slogans, but also threatened to obstruct the work of the court, which was then held within the premises of the Central Jail. On the 13th of July 1931, the day fixed by the court for hearing of

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the case, communal disturbances of the worst type took place in Srinagar city and its suburbs resulting in the looting and burning of Hindu shops and houses on a large scale and the death of about 13 persons on account of police and military firing.

In their memory, the Governments that succeeded the Maharaja after Independence, and which claimed themselves to be secular and nationalist, are observing the black day of 13th of July as a National "Martyrs Day" every year thus perpetuating pin-pricking to the other community which suffered untold atrocities at the hands of the Muslims during this completely communal movement, and keeping the communal tension alive. Here is how Mr. G.S.Raghavan formerly Editor of the "Hindustan Times" the "Nation", the "Sunday Times", and other papers, described these happenings in Srinagar in his book "THE WARNING OF KASHMIR" published in 1931.

He says: "The hearing in Jail fell on 13th July. On that day, a mob stormed the Jail and demanded admittance along with the Sessions Judge. When the Judge had passed the gates, the crowd also attempted to get in. The other gates had been forced and the inner gates were attacked, AT the suggestion of the Judge, two Muslim lawyers representing the accused, harangued the visitors to go out of the Jail precincts. Finding that there was no possibility of ingress, the crowd went out and started stoning officials and set fire to the police lines. The police force was then called in. All efforts to pacify the unruly mob proved futile. While there was commotion outside the Jail there was also disturbance inside, prisoners tried to force the iron gates. About this time, certain prisoners were being taken from the court to the Jail. The crowd stoned the policemen and the prisoners were liberated. The prospect was by no means satisfactory. The District Magistrate's order was defied, who had been summoned to the spot by the time, declared the crowd to be an "unlawful assembly" and ordered its dispersal. The order was defied and finding that the mob could neither be pacified nor

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dispersed, the District Magistrate directed fire to be opened. The crowd fell off but later it re-assembled and resumed stoning. It had to be dispersed with a Lathi charge. Part of the crowd, however moved towards the Hari Parbat Fort: the cavalry had to pursue it and disperse it again. A section of the recalcitrant's proceeded towards a place called Maharaj Ganj which is a business locality and loot over an extensive area followed. From Bhori Kadal to Ali Kadal a long stretch, the Hindu shops were raided. Other localities such as Safa Kadal, Ganji, Khad and Nawakadal too formed the centres of loot. Bazar streets were littered with property, books of accounts were burnt: the Hindu shopkeepers were molested, in short, pandemonium prevailed." "The Hindu merchants lost lakhs worth of goods. Mr. Wakefield has affirmed that the articles were so strewn about the roads that his car would not pass, it is also his testimony that not a single Moham-medan complained to him about his premises having been invaded by the looters".

"The most extraordinary portion of the story was that almost simultaneously with the happenings at Srinagar, there was an uprising at a place named Vicharnag, some 5 or 6 miles away. It has been stated that untold atrocities were committed there; men owning lakhs were reduced to indigence and women were subjected to the worst possible and the most in decent assaults. A military force was despatched to the place, but by that time the havoc had been completed. Elsewhere, the Hindus were the victims of ambuscade. Some lost their lives and many suffered physical injuries. Stray assaults continued till long after".

Such is the origin of the "Martyr's Day" in Kashmir which is now being officially observed as a National Day by the "Secular" Government of the State.

Sheikh Mohammad Abdullah was among the guilty persons. He was arrested, convicted and sentenced, but was

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released before completing his sentence as a result of amnesty granted by the Maharaja in 1932. He then established the All Jammu and Kashmir Muslim Conference and became its first President.

The story of this "Black Day" will be incomplete without narrating the happenings in the Jammu province. This communal frenzy then spread to the far flung areas of Mirpur, Kotli, Rajouri and other parts of this area giving it a new name and created havoc. Hindu/Sikhs properties, homes were looted and burnt. Innocent people were mercilessly killed and many were converted to Islam forcibly. Religious places of worship of Hindus and Sikhs i.e. temples, Gurudwara's all met with same fate. Many were completely damaged and desecrated, in other few cases, though buildings were not damaged yet sacred God idols, religious books including Guru Granth Sahib badly damaged burnt and desecrated.

These happenings known as "88 NA SHAURASH" (Riots of 1988 Bikram or 1931 Christian Era) are still in the memory of not only survivals of that time but also of their subsequent generations, now Refugees of 1947 scattered throughout India & awaiting Rehabilitation.

Correspondence exchanged between different official agencies/Officers of the State Government and Indian (British) Government is preserved in the British Library in London. Only a few relevant reports out of the voluminous papers are being quoted here which are a proof in itself about the sufferings and atrocities suffered by the Hindu/Sikh community at the hands ofMuslims Thirty One places of worship were completed destroyed and looted Cases of forced conversions, reported by the Admin Officer, are detailed below.

Teh: Rajouri-120, Seri-12, Bhimber-206, Kotli-224 (From Mr. Jardin Wazir Khazana, J&K To Mr. R.L. Waltiner, Dy.

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Sect. Govt. of India) Details of movable and unmovable properties has not been found, so far However it may be pointed out that the loss of non-muslim properties destroyed was very high.

(Ref. No. PB 238-DE Dated 30th June 1932 from Mr EJI Colin Prime Minister to Mr Latimer Resident in Kashmir) Hindus of Sukkchainpur and Samwal (Mirpur) whose houses were completely damaged and burnt suffered most. Sukhchainpur has even taken the shape of a completely and deserted village.

Losses in Kotli Teh as compared to Mirpur Teh were much more. The central place of riots was Kotli Solahn village. Rioters were joined by the local wherever they went and with their help houses of Hindus/Sikhs were looted and burnt. Hindu villages Seri, Rajoa, Khui Rata and Dhana were almost completely destroyed or say fully raised to ground. Hindus properties were looted. Besides places of worships were completely destroyed. Even after the arrival of Army, certain places of worships though not destroyed yet God Idols and Guru Granth Sahib were desecrated in most in human manners. Despite presence of Army Main Bazar of Kotli which was central place of Tehsil had to face the same fate. This resulted in the migration of Hindus and Sikhs families to Mirpur, Bhimber and adjoining Punjab. (Ref: No. FM 467 Dt. 18/5/1932).

On 18th & 19th Jan 1932, a large number of Muslim crowd a Mob encircled Kotli city. However the attack failed in few hours as the attackers were in possession of old type of weapons and because of shortage of ammunitions. This attack took place before the houses and shops of Hindus were burnt in Chawla, Panjera, Kotli Sohlam, Seri and Khui Rata. Two Hindus were killed during this attack. (Ref. Kashmir Fight for Freedom by Justice Retd. Mohd Yousaf Saraf)

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On 18th Jan. 1932, fifty villages were attacked in which 300 houses were looted out of which 70 were burnt. Though none was killed yet 40 Hindu/Sikh were converted forcibly to Islam. All these effected villages come under Rajouri Police station. It is an admitted fact that these communal riots were an extension of what happened in Kashmir.

Out of all these villages Thanna village and its bazaar suffered the highest loss. This took place on 20th Jan 1932. 36 Houses were looted out of which 8 were burnt. Another two villages where losses were heavy are Sohana and Sohani. In Sohana, 84 houses were looted and 4 houses were burnt whereas 31 houses were looted and 2 burnt in the other village. This happened on 28thJan 1932. In Bharot village, a very big house of Mohan Lal was looted and burnt. (Ref. DO Letter No. F-12C/32 Dated 29.03.1932 from Mr. C Latimer Resident in Kashmir). A Careful study of above happenings though not in full details, will reveal that this area suffered much more than what the valley suffered. It is unfortunate that the government of post 1947 Era have not done justice but declared 13th July as "Martyr Day" besides declaring the day as a Government Holiday. Now is the time to give a healing touch to the sentiments of those who suffered at the hands of Muslim Fundamentalist which will be right step in this regard. Keeping in view the sentiments of not only valley Hindu community but also those belonging to the Mirpur, Kotli and Rajouri areas, withdrawing of the notification declaring 13th July as Holiday besides not celebrating this day (13th July) as Martyr's Day by the Government will be a step in the right direction to prove its secularism in true sense.

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14

POLITICAL AWAKENING

While the Maharaja was proceeding with limited constitutional reforms, the freedom movement in India was gathering momentum under the leadership of the Indian National Congress. The Muslim League was also emerging on the scene.

These developments were bound to influence events in the State of Jammu and Kashmir. A number of young men received higher education at Lahore and Aligarh and returned to the State with new political and social awakening. Sheikh Mohammad Abdullah was one of them.

In 1932, a political organisation, by the name of Jammu and Kashmir Muslim Conference, was founded, and Abdullah was elected its first president. The Muslim Conference began with modest demands. Its main objectives were to work for social, economic and cultural betterment of Muslims and to secure for them a larger share in civil services and army jobs.

By 1934, differences had arisen in the Working Committee of the Muslim Conference in regard to the attitude to be adopted towards the Franchise Committee which the Maharaja had appointed as a part of his scheme for limited constitutional reforms. This was the beginning of the division of the political movement in the State. As a consequence of these differences, the Working Committee was dissolved, and Chowdhry Ghulam Abbas was appointed sole dictator of the Muslim Conference. Abbas's talks with the Prime Minister of the

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State failed. He gave a call for civil disobedience movement which evoked very little response. Abbas was arrested and sentenced to imprisonment for six months.

In other princely States of India, too, the freedom movement was having its impact. The Indian National Congress was the motivating force behind it. It also took deep interest in what was happening in Jammu and Kashmir. The local leadership soon saw the advantage of eliciting support of the national leaders and also broadening the base of its movement against the Maharaja's Government. In 1938-39, the Muslim Conference was renamed as 'All Jammu and Kashmir National Conference' and its membership was opened to all classes, irrespective of their religion. The initiative in this regard was taken by Maulana Sayeed Masoodi and Sheikh Mohammad Abdullah. The latter,in his presidential address, pleaded: "In order to secure responsible government, it is' essential that we invite Hindus, Sikhs, Buddhists and Harijans to join us. They too are steeped in ignorance. They too pay taxes.They too face hunger. institution of the responsible government is as necessary for them .

In 1944, the National Conference adopted, as its manifesto, a as for us. Programme called 'Naya Kashmir'. It envisaged a pattern of parliamentary democracy in the State, with independent judiciary, and also a programme of social, economic and educational reforms. A summary of this document has been added as Appendix Ill.

In the summer of 1944, in an attempt to establish his hold Jammu and Kashmir, M.A. Jinnah visited the State. He can on the plea of rest but accepted receptions in his honour. In reception given by the National Conference, both Sheikh Abdullah and Jinnah indulged in what may be called exercise in ambivalence. At the reception held by the Muslim Conference, however, Jinnah came out openly in its favour said, "The

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Muslims have one platform, one 'Kalma' and one God.
I would request the Muslims to come under the banner of Muslim the Conference and fight for their rights."

Jinnah also presided over the annual session of the Muslim Conference. In his address, he described the National Conference as a 'band of gangsters'. Later, when the National Conference launched its 'Quit Kashmir' movement, Jinnåh labelled it as "an agitation carried on by a few malcontents who were out to create disorderly conditions in the State". Clearly, Jinnah and the Muslim League did not give much quarter to Sheikh Abdullah, and Chowdhry Ghulam Abbas and the Muslim Conference were preferred. This must have convinced Sheikh Abdullah that his political future .would be bleak if the State joined Pakistan. In his autobiography, Atish-e-Chinar, Sheikh Abdullah himself acknowledges the hostility which Jinnah displayed towards him. He writes, "At that time, Jinnah was intoxicated by power. He thought it beneath his dignity to talk to a poor and resourceless nation. When this equation of power went against him, he woke up in panic from his dream. But by this time, the snake had passed ; only its line remained."
During Jinnah's visit, Moulvi Yusaf Shah also came in for some sharp tongue-lashing from Jinnah. He described the Moulvi as a "rotten egg". He also told the Moulvi, "I advise you to remain aloof from politics. In Kashmir, we want a leader, and not a Mullah.

By this time, the National Conference had become disillusioned the system of dyarchy. It discovered that the system was nothing but an 'organised puppetry'. The close rapport which Sheikh Abdullah had developed with Jawaharlal Nehru, Maulana Azad, Khan Abdul Ghaffar Khan and other national leaders had given him and his colleagues in the National Conference great .confidence, The arrival of the Cripps Mission in India at that time also raised new hopes. In a telegram to the Mission, the National Conference said:

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"As Mission is at the moment reviewing relationship of Princes with the Paramount Power with reference to treaty rights, we wish to submit that for us in Kashmir re-examination of this relationship is vital matter because hundred years ago in 1846 land and people of Kashmir were sold away to servitude of Dogra House by British for seventy-five lakhs of Sikh rupees equivalent to fifty lakhs of British Indian rupees. As such case of Kashmir stands on unique footing and people of Kashmir press on Mission their unchallengeable claims to freedom on withdrawal of British power from India."

On May 10, the National Conference, under the leadership of Sheikh Mohammad Abdullah, launched the 'Quit Kashmir' movement. In his speech on May 17, 1946, Sheikh Abdullah said, "The tyranny of the Dogras has lacerated our souls. It is time for action. You must fight slavery and enter the field of 'Jihad' as soldiers. Every man, woman and child will shout 'Quit Kashmir'. The Kashmiri nation has expressed its will. I ask for plebiscite on this question." On Slay 20, he was arrested. The other prominent leaders of the National Conference were also detained. Nehru demanded immediate release of Sheikh Abdullah and himself proceeded to Kashmir to make arrangements for the Sheikh's defence. The Maharaja, presumably under the advice of his Prime Minister, Ram Chandra Kak, prohibited Nehru's entry into the State. Nehru defied the prohibition order and was arrested. This event, besides causing a great public stir, permanently impaired the relations between Maharaja Hari Singh and Nehru. As subsequent events showed, Nehru was never able to get over his hostility towards the Maharaja, and Sheikh Abdullah exploited it to the hilt. Nehru was, however, persuaded by the Congress Working Committee to return to Delhi. Later on, Sheikh Abdullah was released on what has been described in certain quarters as his qualified apology to the Maharaja. In his letter d September 26, 1947, the Sheikh wrote: "I assure Your Highness that I and my party have never harboured any sentiment of

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disloyalty towards Your Highness' person, throne or dynasty. I assure Your Highness the fullest and loyal support of myself and my organisation. Not only this, but I assure Your Highness that any party within or without the State, which may attempt to create any impediments in our efforts to gain our goal, will be treated as our enemy and will be treated as such." The full text of his letter has been given in Appendix I V. Some prominent leaders of the National Conference, including Chowdhry Ghultm Abbas, joined the Muslim Conference. In October 1946, the Muslim Conference launched Direct Action campaign under the leadership of Nlirwaiz Moulvi Yusaf Shah. Chowdhry Ghulam Abbas and a few other leaders of the Muslim Conference were arrested. This showed the increasing influence of the Muslim League on the Muslims of Jammu and Kashmir. Mimaiz Moulvi Yusaf Shah displayed extreme hostility to the Indian National Congress and the National Conference. Deploring what he called interference of the Congress, he said in a statement on sept.25, 1946.

Reference: from the book Plight of Jammu & Kashmir

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15

UPSURGE IN THE STATE

The British had been annoyed by the Maharaja on account of his political statement issued in the round table conference at London and wanted to teach him a lesson. In the Indian Union, they had introduced the policy to divide the Indians on communal lines by adopting to hold elections on the basis of communal representations and this policy had started the creation of hatred between the two communities. With the birth of Muslim League as a political organization, the young Muslim Students from Jammu and Kashmir State were receiving education in Lahore and Aligarh Muslim University and they got influenced by the propaganda and as a consequence thereof, 'All Kashmir Muslim Conference' was founded and its first annual session was held in December 1930 in Lahore. The youths who attended this session on their return to the State started propaganda on communal lines and they were supported by several other Youngman returned from Universities. Those who were still receiving the education and particularly in Muslim Aligarh University also came in contact with Muslim leaders and propagators of Pan- Islamism. They organized themselves for holding meetings in a room set up as, 'Muslim Reading Room, Srinagar'. These youths had the tacit support of British Government and a British Minister serving in the State Administration of the Maharaja. Old religious Muslim leader known as Moulvi Mirwaiz had died in 1931 and was succeeded by new Mirwaiz by the name of Yousaf Shah, who had received his theological education at 'Deoband' in Uttar Pradesh and he

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too was influenced by the aims and objects of the Reading Room Party The younger members of this party started organizing mammoth meetings in villages and particularly in various mosques. Sheikh Mohammed Abdullah had obtained his MSc degree from Aligarh University in 1930 and after returning to Kashmir he had succeeded in getting only a teachers' job in Government High School Srinagar and not as a Lecturer (Gazetted) in a college. Meanwhile, Maharaja had constituted Civil Service Recruitment Board for the selection of candidates to higher posts on the basis of merit. The Hindus and particularly Kashmiri Pandits were advanced in studies and they were getting selected in higher percentage on the basis of merit than the Muslim candidates. It is noteworthy that even during the cruelest Afghan rule the Kashmiri Pandits because of their learning habits, adaptability to the circumstances and shrewdness had succeeded in grabbing many posts in the Administration and this trait even now exists in this community in the changed circumstances. This policy of recruitment on the basis of merit was also opposed by Sheikh Mohammed Abdullah who himself felt a victim of non-selection for a gazetted post. He resigned the post of a science teacher and became active member of the Reading Room Party and added fuel to the burning fire of organizing mammoth meetings and delivering fierce speeches in the mosques. Communal tension had reached to the zenith which required explosion at the ripe time.

Reference:
Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi.

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16

QUIT KASHMIR

While the people of the State had settled down again to normal life and some Muslim leaders had even appealed to outside Muslims to leave the Kashmir affairs alone, an all India Kashmir Committee was formed at Shimla by outside Muslims to take up the cause of I he Muslims of the State. They decided to send a deputation to Kashmir to have the grievances of the Muslims redressed. They also decided to approach the political department of the Government of India and the Viceroy for the purpose, and to observe 14th of August as Kashmir Day throughout India.

On the other hand, the Hindus of British India who had so far refrained from interfering in the affairs of the State, after having seen the plight of Hindus during the disturbances, found it difficult to hold themselves back and soon came a warning from eminent persons, like Dr. Moonje and Mr. C. Vijiaraghavachariar to the Muslims of India to keep their hands off Kashmir.

Although this warning from Hindus, however, eminent to Muslims who had the backing of the British Government did not in Itself mean much, Sheikh Abdullah sensed in it the futility of convoying on a purely communal movement against a Hindu ruler, singlehanded, when there was no dearth of Hindus in India who were too willing to overthrow the Hindu Rulers of States (without caring for what happened in the States with Muslims rulers), if for nothing else, to prove their secular

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mindedness. The All India Congress was committed to non-interference in the affairs National Stales, so they had one of its offshoots in the form of THE of the ALL INDIA STATES PEOPLES CONFERENCE presided over by Pt. Jawahar lal Nehru, reserved for this purpose. Sheikh Abdullah found in him the man they wanted ray of hope and doning a National and secular garb established cautious contacts with them. They also found in him he man they wanted and installed him as their President. Sheikh Abdullah's neglect of the Jammu Mohammadans and now with Sheikh Abdullah's changed garb the All Jammu and Kashmir Muslims Conference was, in June 1939, split into the All Jammu and Kashmir National Conference under the leadership, of course, of Sheikh Mohammad Abdullah and All Jammu and Kashmir Muslim Conference headed by Khawaja Ghulam Abbas. While the Muslims of Kashmir by and large accepted the leadership of Sheikh Mohammad Abdullah, (except of course quite a powerful section with Mir Waix Moulvi Mohammad Yusuf Shah as their leader), the Muslim of Jammu generally followed Khawaja Ghulam Abbas. For Non Muslims to have any faith in Sheikh Abdullah was out of question. The people of Jammu had not seen him at all, and the Pandits of Kashmir had seen him too well to put their faith in him. In spite of this the Sheikh was now politically on a better footing. Although the nature, of his movement and his approach to all problems remained purely communal, he now had the backing of the All India National Congress through the All India States Peoples Conference in addition to the usual support of the political department and Muslim organisations of India.

With the Glancy Commission's report on the grievances of Muslims accepted by the Maharaja in to, and the latter having even gone later to the extent of appointing two elected Ministers to his Cabinet, there was nothing much left for Sheikh Abdullah to do by way of having the Muslim gridvances redressed, but he was too inflated by them to sit quiet.

The Quit India Movement of Mahatma Gandhi conducted in India in 1942 so successfully, was fresh in his mind.

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He decided to copy it in Kashmir and started a "Quit Kashmir" movement in May 1946 without considering whether there was any similarity of cause between the two. The "Quit India" movement was aimed at making the foreign rulers, quit the country, leaving it to the Indians to run their own affairs, but Quit Kashmir was aimed at making the Dogra Ruler, a son of the soil, belonging to the State itself, quit the State or the Government, leaving the Kashmiris to govern not only the valley but the whole of the J & K State. If the Dogras' of Jammu were according to Sheikh Abdullah foreigners in Kashmir, the Kashmiris could be nothing else in Jammu and the Sheikh while asking Dogras to quit Kashmir, should have applied "Quit Jammu" to himself. Dogras are more akin to ancient inhabitants of Kashmir thin Shiekh Abdullah who has trace, however, slight, of foreign blood in him. That Aryan came to India from outside is a wishful western invention.

If it is made out that the "Quit Kashmir" movement was not directed against the Dogras as a community but against the so called autocratic system of Government. In that case the movement should have had the support of the people of the State as a whole and not only the Muslims of the valley. Ghulam Abbas who held the same position among the Mohammadans of Jammu Province as Sheikh Abdullah had among the Muslims of the valley, had publically refused to support the movement, and any support from Hindus to this strange and undesirable agitation was out of question.

Not only that, Sheikh Abdullah went one further by telegraphically approaching the British Cabinet Mission which had arrived in Delhi to recommend ways and means of transferring power to Indians, for the abrogation of the Treaty of Amritsar of 1846* which he wish- fully called "Sale Deed of 1846". Only those capable of making treaties can understand the difference between a treaty and a sale deed. Treaties are made between two or more chivalrous equals when they find that any other course would be disastrous for them. For Sheikh Abdullah

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who belongs to a race known for anything but chivalry the difference is difficult to discorn. The Kashmiri as a race has been described by almost all historians who have attempted to write on Kashmir, their description does not very much differ from each other. Doctor Arthur Neve, who was among the first foreigners who entered Kashmir and worked as a missionary there for years and was supposed to be a great well wisher of the people of the valley, whom he served through his Mission Hospital, describes Kashmiris in his book "Picturesque Kashmir" published in 1900 in these words" "They are treacherous as the Pathan, without his valour; more false than the Bengali but equally intelligent; cringing when in sobjugation, they are impudent when free".

More recently Sir Zaffarullah Khan mentioned them in the security Council in the following words "One soldier armed with no more than a bayonet could drive 4000 Kashmiris in whatever direction he desired". Dr. Neve's old description may not be wholly true in respect of the modern generation and Sir Zaffar Ullah's recent description may not be more credible than his other statements in the Security Council, but these may explain why some people in Kashmir do not understand the difference between a treaty and a sale deed. For Sheikh Abdullah not to understand the significance of a treaty is, therefore, not surprising. Whatever Sheikh Abdullah called it for his personal satisfaction, a treaty was a treaty and the very first line of the first article of this particular treaty i.e. "The British Government transfers and makes over for ever in independent possession..." is self explanatory. As is the case with all the treaties this treaty could not be unilaterally abrogated. Even if it could be, one fails to understand what Sheikh Abdullah would have gained by it. At the most the abrogation of the treaty would have meant reversion to the position that existed at the time of the signing of the treaty i.e. Sikh Rule with a Sikh or a Muslim Governor, which the Sheikh could never have intended to ask for. The conditions which then prevailed in the valley have been described by Moorcroft who visited Kashmir in 1824 Five Years after Ranjit

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Singh annexed it to his Kingdom with the active assistance of Gulab Singh (later Maharaja) in the following words :-

"Everywhere the people were in the most object condition exorbitantly taxed by the Sikh Government, and subjected to ,every kind of extortion and oppression by its officers—not one sixteenth of the cultivable surface is in cultivation, and the inhabitants, starving at home, are driven in great numbers to the plains of Hindustan". He further states—"The Sikhs seemed to look upon the Kashmirians as little better than cattle—the murder of a native by a Sikh is punished by a fine to the Government from sixteen to twenty rupees of which four rupees are paid to the family of the deceased if a Hindu and two rupees if a mohammadan".

If this is what Sheikh Abdullah wanted to bring back for the Kashmiris by abrogation of the treaty, in preference to the benevolent rule of Maharaja Hari Singh, God save the Kashmiris. Again it was not by virtue of the treaty alone that Maharaja Gulab Singh annexed Kashmir to his State. He had to fight for it twice, once in 1819 for the Sikhs and again in 1846 for getting actual control over it after the treaty, to subdue the Sikh Governor Imam Din who resisted his entry.

Lord Bird wood in his "Two Nations And Kashmir" describes the transfer of Kashmir in these words "Kashmir did not immediately fall like a ripe plum into Gulab Singh's hands, since the local governor appointed by the Sikhs did not take kindly to the new loyalty demanded of him. British troops despatched to Jammu had, therefore, to ensure, that Gulab Singh was free to consolidate his position in Srinagar."

The "Quit Kashmir" Movement, went on for some days in the form of speeches and slogans and finally abruptly ended with the arrest of Sheikh Abdullah (who had remained in hiding for some time) on a charge of making sedicious speeches.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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17

NEHRU'S RESTLESSNESS

The failure of Sheikh Abdullah's Quit Kashmir movement started with Pt. Nehru's blessings naturally came as a shock to Pt. Nehru. He could not but rush to his help.

He made an extremely irresponsible statement in May 1946 on his way to Srinagar based on what was conveyed to him by the National Conference reportedly through its Vice President Bakhshi Ghulam Mohammad with regard to the happenings in Kashmir during the "Quit Kashmir" movements in the following words :—

"Dead bodies are not handed to the relations for burial according to religious rites but are soaked in petrol and burnt. The mosques, including their inner shrines, have been occupied by the military. A wall of the Juma Masjid of Srinagar has been knocked down to allow passage for military lorries".

If he had a mind to see things for himself as he had stated where was the hurry in issuing a statement, based on fabricated hearsay ? The State Government naturally advised him not to visit the Valley at that stage with his partisan attitude, but he refused to accept any such advice. Even when consequently his entry in the State was banned, he forced his entry by pushing the guard, who had orders not to use force. He walked up to Domel Dak Bungalow, where he was provided with all facilities, including freedom to return to India, and the use of a State car for

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the purpose. He, however, insisted on proceeding to Srinagar which he said he would not give up until he was arrested. The formality of arresting him was, there- fore, completed though he continued to remain free to return to India. The State car remained at his disposal for the purpose.

Mr. Jinnah had visited the State once in 1943 and had tried to inject communal poison into the already communal politics of the State, but as he championed the cause of the State Muslim Conference led by Ghulam Abbas, who was a rival of Sheikh Abdullah, the latter was naturally not favourably inclined towards Jinnah with the result that Jinnah was hooted at a meeting he addressed at Baramulla on his way to Rawalpindi. When after Mahatma Gandhi's and Acharya Kriplani's visits to the State in 1947 and their meetings with the Maharaja, Pt. Ramchand Kak was dismissed from Prime Minister ship. Jinnah again asked for permission to visit the State. This was refused. In view of the policy of the State not to permit permission to Jinnah to visit the State again for polluting the political atmosphere. Pt. Nehru's visit could not be differently treated. The visits of Mahatma Gandhi and Acharya Kriplani were quite different. They were confined to a meeting with the Maharaja, moreover Mahatma Gandhi, seasoned State man as he was, had even declared that the purpose of his visit was not to secure the release of Sheikh Abdullah. Nehru's visit, however, was of a partisan nature, which the Maharaja's Government could not allow.

On being persuaded by the Congress President, Sardar Patel and Lord Mountbatten, Pt. Nehru returned to Delhi on the condition that he would soon be permitted to return to the State. The following Press Note was issued by His Highness' Govt. regarding the Nehru episode:

"It has been represented in a section of the British Indian Press that Pt. Jawahar Lal Nehru has made a friendly approach to His Highness' Government but they have shown him grave

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discourtesy in return. How far the accusation is correct will be clear from the following facts Sheikh Mohammad Abdullah and several of his colleagues were arrested on the 20th May 1946 following a series of speeches delivered by him and his followers, which the Government considered objectionable, and a number of his followers were rounded up soon after. This was followed by disturbances in the city and elsewhere in the valley. As the authorities had a shrewd idea of the character and extent of plan of campaign of the National Conference they utilized the police and military combined in patrolling the city and other affected areas. Interviewed by a Press representative on the 26th May, the Prime Minister said that Pandit Jawaharlal Nehru would be welcome to study the situation for himself. But in a lengthy statement issued by him the same day Pt. Jawaharlal Nehru published a number of a serious allegations against the authorities of the State. He, however, expressed regret that "the issue of the Ruler continuing or not was raised in Kashmir" without the concurrence either of the All India State Peoples Conference or of the Jammu and Kashmir National Conference. These allegations were categorically denied in a communique, issued by His Highness' Government on the 30th May 1946 and in a statement given to the Press by the Prime Minister. The most serious among these allegations, were also denied by the Associated Press and the special Correspondents of the Statesman and the Hindustan Times, in some cases on the authority of the National Conference quarters in Srinagar and none of them was borne out by any independent journalist or Press Agency. On the 27th of May Pandit Nehru called upon the States Peoples Organisation, its regional Councils, Praja Mandals, Lok Parishads, State Congresses and the Like all over India to hold meetings on the 2nd of June in sympathy with the "sufferers" of Kashmir. He directed these organisations to raise funds and keep ready volunteers for action in Kashmir. Soon after meetings of the Working Committees and the Council of the All India States Peoples Conference were held at New Delhi. The general sense of the meetings and the trend of the speeches

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of these meetings was that Sheikh Mohammad Abdullah's recent activities exceeded the limit set by the All India States Peoples Conference and the National Conference of Kashmir for their adherents, and the movement launched by Sheikh Abdullah was a "tactical blunder". Pandit Jawaharlal Nehru, however, followed with another statement on Kashmir in which he withdrew the most serious allegations made by him against the authorities and expressed regret for having made them. He, however, made the amazing statement that this did not alter the position in any way, as the allegations were not really important, and what was important was the "Wholly uncalled for and unwise" arrest of Sheikh Mohammad Abdullah and the subsequent action taken by the authorities. He also repeated what he had said before that "there can be no peace unless Sheikh Mohammad Abdullah is released". "Interviewed by a representative of the Press, after Pandit Jawaharlal Nehru had issued his second statement on Kashmir the Prime Minister said that Pandit Nehru has shown himself a partisan and no useful purpose would be served by his visiting Kashmir. In a telegram to His Highness the Maharaja Bahadur dated the 17th June 1946, Pandit Jawaharlal Nehru said that he was coming to Kashmir to help in putting an end to complications already existing there and that the State authorities should welcome his visit and give all facilities. His Highness wired in reply that Pandit Nehru's coming at this 'juncture would entail unfortunate consequences which it Was the duty of all concerned to avert. Pandit Jawaharlal Nehru then sent a letter to His Highness which was delivered at the Palace on the morning of the 19th. But on the evening of the same day and before a reply could be sent to him he forced entry into the State with the support of a large body of men from British India, saying that he did not "care for the orders of Maharajas or Viceroys", Earlier on the same day, he had told the Press at Lahore that one of the objects of his visit was to try to "put an end to the complications If caused by the Policy of His Highness' Government". The Pandit was coming to Kashmir with an open mind and for studying the situation, it passes one's

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comprehension why he was in a hurry to pronounce judgment on the action taken by the authorities and the actual situation in the State. It is patent that the attitude shown by Pandit Jawaharlal Nehru towards His Highness' Government since Sheikh Abdullah's arrest has been far from friendly, in spite of his protestations to the contrary. His criticism of Sheikh Mohammad Abdullah's activities cannot be taken seriously against the background of his tirades on His Highness' Govt. admittedly launched without knowledge of facts".

Later Pandit Nehru returned to the State with the State Government's permission but with a greater sense of responsibility. He had publically contradicted his previous highly incorrect statement, mentioned in the Press Note on June 12, 1946 in the following words : —

"Two incidents I mentioned I should like to correct I have no present information which can substantiate them and regret that I gave publicity to these two incidents without sufficient proof. These two allegations are the burning of bodies of persons killed and the breaking down of the compound wall of the Juma Masjid. Very probably the deaths due to firing were much greater than those admitted in the officials communique. How all the bodies were disposed of I cannot say without much greater proof than I possess. As regards the allegation about the wall of Juma Masjid it appears that there is a wooden gate and a military lorry passing through accidently dis- lodged some bricks of a column. This may have given rise to the story. Any how I am sorry that I stated something which was not correct."

Even this statement was not entirely free from an attempt to cover the lies that were put into his mouth by the leaders of the movement, but perhaps it becomes difficult to completely swallow back what is once vomited. In any case even this much confession was a great thing.

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A statement was made and was contradicted, when found false, probably to pave the way for a second visit to the State. There is nothing much in that, but the significance is in the extent of falsehood which Sheikh Abdullah's "National Conference" was resorting to, in order to humble the Maharaja and his Government.

Pt. Nehru was later allowed into the State. He quietly entered, lived in a House Boat, made the show of making an inquiry into the past happenings, and attended Sheikh Abdullah's trial for a few days in the capacity of his council along with Asaf Ali, who was defending.

Sheikh Abdullah on behalf of the Indian National Congress. Sheikh Abdullah was convicted and sentenced to three years rigorous imprisonment in each of the three cases against him but the sentences were to run concurrently.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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18

THE PAK CONSPIRACY

Before describing the heroic role that Sangh Swayamsevaks Jawans of the Indian Armed Forces and the people in general played at the time of the Pak invasion of Jammu-Kashmir it is necessary to take a bird's eye view of the geographical, historical social and political situation in the State. It is also necessary to know, how carefully Pakistan laid its plan.

The Kashmir Valley, at a height of 5000 feet from sea level and surrounded by Himalayan ranges, has been described as heaven on earth. There are many Puranic legends linked to it. According to Nilamat Purana the valley was originally a vast lake. Maharshi Kashyap cut the mountain near Varahamula (Baramula) and made a way for the water to flow. As a result the water of the lake flowed into the Vitasta (Jhelum) and the lake was transformed into a beautiful and fertile valley full of smaller lakes. As Rishi Kashyap had in a way created the valley it came to be called Kashyap Marg, which has now been distorted into Kashmir. This Puranic tale can be presented as a unique engineering feat.

Srinagar, the present capital of Kashmir, was founded by emperor Ashok. Since Mahabharat times the valley has been described as a place where Rishis and ascetics meditated and imparted knowledge. To the South of the valley the Pir Panjal range stands as a sort of wall and to the North lies Himalaya, the home of eternal snow. The whole valley is full of lakes. The most famous and the biggest of them is Wooler Lake. The Jhelum flows on through it. The most beautiful lake is Mesawal near

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Srinagar. The Dal Lake is world-famous. Many perennial rivers have made the region ever-green. Prominent among them are Kishanganga, sind and Sidhur.

Other prominent cities of the valley are Baramulla, Anantnag, Badipur and the tourist places Gulmarg and Pahalgaum.

Kashmir was an important stage in Adi Shankaracharya's triumphal tour of the country. The Sharada peeth is a testimony to it. Historians and litterateurs like Kalhan and Ratnakar are the gifts of this land. King Lalitaditya of Kashmir has become an immortal figure of history for his bravery, patriotism and love for his people.

The glory of Kashmir came under a cloud for the first time when the foreigner Shah Mir from Khorasan attained prominence in the Court of Kota Rani. He betrayed her, forced her from the throne, and threw her in jail. From that time Kashmir passed into the hands of Muslim foreigners. Shah Mir's successor Sikandar broke all bounds in respect of conversions and massacres. Dal Lake filled up with corpses. Dead bodies and severed heads were piled in a mountainous heap. Even today its remains can be seen in the middle of the lake by the name of 'Bat Mazar', that is, the Coffin of Pandits.

But in 1820 better days came for the Valley when Maharaja Ranjit Singh made it a part of his kingdom. His general was Gulab Singh Dogra, whom he made the king of Jammu. Gulab Singh's general was the famous Zorawar Singh, who conquered Ladakh. Later Gilgit and Baltistan also became parts of his kingdom. According to the Amritsar treaty with the British, the Kashmir valley was also merged in his kingdom. During his reign the boundaries of the Jammu-Kashmir state expanded. These boundaries lasted till the partition of the Country and the Pakistani invasion.

Before this invasion the area of the State was 2,22,870 Sq. Km. At that time it had 31 cities and 8903 villages. In 1947, total

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population wag 40 lakh. Out of this 3, 62,314 people lived in the cities, and in the villages. The population per Sq Km was just 17. Mountain ranges divide this State in three distinct parts (i) and the outer ranges, (2) the Kashmir valley, and (3) high mountainous regions like Ladakh etc. to the north.

Before Pakistan annexed it by force of arms Muzaffarabad was a district of the State of Jammu-Kashmir. Although a part of the State for administrative purposes, it had no geographical relationship with the Kashmir valley. The valley ends near Baramulla. Ten miles from there the Kashmiri language is replaced by the Lehndi form of Punjabi as lingua franca. This is 75 miles from Baramulla. The city of Ramkot, eleven miles from Muzaffarabad, was the last outpost of Kashmir State. Now all this is a part of Pak-occupied Kashmir, so-called 'Azad' Kashmir. Muzaffarabad is its capital.

The road from Ramkot goes to Ebtabad and Havelian, via Manschra. In British India all this fell in the N01th-West Frontier Province. Had Maharaja Hari Singh taken the decision to accede to India before August 15, 1947 not only this area but even the Frontier Province could have become a part of India with the cooperation of the Khan Brothers. There was a Congress government there at the time, Leaders of the Frontier Province had even sent a message to this effect to the Maharaja, but, for various reasons, the Maharaja failed to act.

The state was divided into four administrative units— Jammu, Srinagar, Gilgit and Ladakh. Each unit had a governor. Under the Governor was a district head, called Vazir-e Vazarat. Anantnag, Baramula, Mirpur, Rajouri were districts of ordinary size. At the same time there was a huge district like Ladakh —a big area with a small population. Poonch was just an estate.

The Invasion Plan

The Pakistani plan to invade and annex Kashmir was prepared with great care. All arrangements were made to ensure that there was no delay, nor failure. All advance arrangements were in

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place. Nothing was left to chance. So we must admit that the plan was foolproof.

Had not by the good luck of India and the bad luck of Pakistan, the Dogra army and Sangh Swayamsevaks succeeded in holding off the enemy till the Indian Army arrived, and had the Kabailis advanced as per plan and not wasted time in plundering the cities on the way, raping women and going to and fro to take the loot and abducted women home, the plan would have worked, and Jinnah's ambition to celebrate Id in Kashmir fulfilled. A glimpse of Pakistan's meticulous plan is presented here.

Traitor Kak

At the very first step, the Pakistanis made Jammu-Kashmir Prime Minister Ramchandra Kak their agent. Kak's wife was English, and he was under her influence. He was in the confidence of Maharaja Hari Singh, but he was actually a traitor, bent upon betraying not only the Maharaja but the country as well He succeeded in convincing the Maharaja that in view of the geographical situation of Jammu-Kashmir it was neither beneficial nor possible for the State to accede to or merge with either India or Pakistan, so he should propose to both that Kashmir's status quo be maintained till June without it acceding to either.

The Maharaja made the proposal, which Jinnah accepted readily, as he wanted to ensure that the Maharaja would not foil his plan by joining India. Till then the Maharaja had done that every time. India, on the other hand, asked for time to consider the proposal.

By this time the Muslim Conference had merged in the National Conference in the Valley, but it was still influential in Jammu and some other parts. The Muslim Conference was an advocate of Pakistan and worked as a branch of the Muslim League. Kak called its leaders, Sheikh Ibrahim, Maulana

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Ghulam Abbas and Sheikh Nazim Hussain, and told them to hold public meetings and persuade the people to demand independence under the Maharaja.

Now the Muslim Conference leaders started to make the thousands of retired amymen, who were leading a life of penury, their agents. They said to them, 'Hindus of the State are rich. Loot them.' The result of this propaganda was soon seen.

Scott's Betrayal

Scott was the Commander-in-Chief of Jammu-Kashmir. He too, like other British Officers, was pro-Pak and gave full cooperation to Pakistan's invasion plan. He dispersed the State's army in such a way that it would not be able to do anything at the time of the attack. In a way, he neutralised a big chunk of loyal forces. On fronts like Kohala and Dumel, where Pakistan was likely to attack, he deliberately posted Majors like Sher Ali and troops well-known as staunch Leaguers. Kak deliberately and deceitfully kept the Maharaja in the dark about all these dangerous developments and assured him and loyal Hindu officers that when the time came the whole army as well as the people would make the enemy bite the dust. When all preparations, inside and outside, were complete, Ibrahim and Hamidullah were called to Peshawar. Here the final shape was given to the conspiracy. Abdul Gayyum promised financial help, arms and ammunition, and even a force for the attack. Having finalised the plan these leaders returned
Thus, while Pakistan continued its subversion within Jammu-Kashmir on the one hand, on the other, it prepared for direct aggression. At the same time, it also prepared a plan to pressurise the Maharaja to merge with it.

Operation Gulmarg

The invasion plan was code-named Operation Gulmarg. The armed force to carry it out was to be built up with a thousand men to be recruited from each tribe (Kabila) instigated to attack

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Kashmir. It was called 'Lashkar'. All these were to assemble at Bannu, Peshawar, Kohat, Pal and Naukaron. Here they were to be armed. The pretext was that a newly-set-up Pak unit was being armed. At every place the assembled Kabaili Lashkar was to be put under a Major, a Captain and 10 NCOs of the regular Pakistani armed forces. These selected army officers were all Pathans, and they were to wear ordinary Pathan Kabaili clothes. Major General Akbar Khan was placed in command of the entire Kabaili force. His code name was Tariq. Brigadier Sher Khan was his deputy. His headquarters were the Army HQ of Pakistan. All of them were to reach Ebtabad by October 18. So an area of 12 sq.km. outside the city was secured by the army. No one was permitted entry. After this six Lashkars were to advance from Muzaffarabad towards Srinagar via Uri, Dumel and Baramula, where they were to first capture the airport and then the city by Oct. 25, so that Jinnah could fulfil his ambition of celebrating Id in Srinagar. Two Lashkars were to advance towards Gulmarg from behind Haji Pir Two others were to pass through the Vastachhoon valley towards Tithwal and capture Sopor Hedwara and Bandipur. Ten Lashkars were to become active in the Poonch, Mian and Ravlakot region. They were to capture Poonch and Rajouri and advance towards Jammu. A force made up of deserters from the State's army was given the name Azad ArmyIts officers and men were to guide the tribals and fight alongside them.

Seven divisions of foot soldiers of the regular Pakistani aj„iy were kept in readiness in the Murrie and Ebtabad region to provide back-up support to the invaders. A division was also kept ready in Sialkot for marching on Jammu.

The entire military campaign was to be ready by Oct, 1 8, and D-Day was to be Oct. 22.

Scott and Kak conspired to deliberately deploy the fourth regiment of the State's army on the Dumel front, where the attack was planned. About half the officers and men of this regiment were Dogras and half Muslims. It was planned that as soon as the invasion began the Muslim officers and men were to

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desert and join the attackers. Till that time they were not to come under suspicion in any way, and were to swear loyalty to the Maharaja.

Thus the entire operation Gulmarg was planned meticulously and the attack was launched on the morning of Oct. 22. The main force crossed the border at Garhi Habibulla and attacked Muzaffarabad. In the regiments posted at Lohargali and Raikot Muslim soldiers killed Dogra fellow-soldiers while they were sleeping and joined the enemy.

Kashmiri Refugees

When it became impossible for Hindus to stay on in the Pakistani area after August 15 Hindu convoys from Rawalpindi, Peshawar, Ebtabad began to enter Jammu-Kashmir, as these areas bordered on the State. The people of the Sangh looked after them through the medium of the Punjab Relief Committee.
These people wanted to settle there permanently, as they already had commercial contacts with Kashmir. The climate also was more congenial here for Hindus of these areas than that of East Punjab.

Shri Madhokl who was the head Of the Sangh work in the Kashmir -Valley, told the Maharaja about this, who seemed favourably disposed to the idea. So the Government appointed Shri Madhok Relief Commissioner for permanent settlement of these refugees. But the moment the news reached Sheikh Abdullah and his National Conference they raised a storm of protest. Unfortunately the Maharaja succumbed to the pressure brought on him by the Sheikh and his supporters in Delhi, and the plan was given up. It was a misfortune for both India and Kashmir, because had Hindus and Sikhs been settled in Kashmir Pakistani elements would have themselves started leaving for Pakistan, and the situation in Kashmir would not have been what it is today.

Ref: from the book "Partition – Days The fiery saga of RSS" by Manik Chandra Vajpayee

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MAHARAJA SAVED

When Pakistani attackers began loot, arson and killing in districts bordering Jammu people began to flee from there. On receiving reports of these attacks from the Governor of Jammu Maharaja Hari Singh and Prime Minister Mahajan decided to tour these districts to boost the morale of the people.

The two came to Jammu. The Maharaja's presence also promoted communal harmony.

The Maharaja decided on a six-day tour of border areas from October 18. He was to visit these villages by jeep, keeping Mirpur, Kotla and Kathua as centres. But the police superintendent of Jammu and the Chief of Staff proved snakes in the grass. Both were Muslims of the rabid League variety, and they informed the enemy of the tour programme, who plotted to kidnap both the Maharaja and Mahajan and force them to sign accession to Pakistan. According to the tour programme the Maharaja was to tour the Kathua area on October 20, proceed towards Mirpur on October 21, and lunch and rest at the Bhimber dak bungalow that day. It was at this stage that he was to be kidnapped. But the alertness of Sangh Swayamsevaks foiled the conspiracy. In the Jammu area the Sangh was active right up to the village level. The Swayamsevaks were closely watching pro- Pakistan Indian officials. The police superintendent of Jammu was especially closely watched. They had arranged to immediately report every action of' his to the Jammu Karyalaya. This was the man who had helped Pakistan

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hatch the kidnap plot. Swayamsevaks learnt of the conspiracy and alerted the Maharaja two days in advance, On the basis of' this alert the Maharaja decided to change his itinerary. He did not tell even Meharchand Mahajan about the change,

When the Maharaja began his tour by jeep he saw heart rending scenes. He saw how border villages had fallen victims to the barbarism of Pakistani fiends. These villages had been overrun just the night before. Entire villages had had been reduced to ashes. Unclaimed dead bodies lay scattered all over. Women had been raped and then killed. Property had been wantonly pillaged. The Maharaja comforted the people and arranged for the dead bodies to be collected and given the final rites.

On October 20, he set out towards Kathua as per programme, but when his convoy reached a fork where one road led to Kathua and another to Bhimber the Maharaja ordered the jeep driver to head for Bhimber. The surprised Mahajan asked, 'why this strange change of direction? According to the scheduled programme we have to reach Kathua today. Instructions have been relayed everywhere that way. People of Kathua and the villages on the way would be expecting you. All officials would also be waiting. This change would disappoint the people of the area. On the other hand, Akhnoor and Bhimbar have no intimation of your arrival. There won't be any arrangements for you. So please don't make this pointless change.' But the Maharaja overruled his objection and replied, 'I am still the Maharaja. I'm not bound by any set programme. I can change my plans at will.' Mahajan bowed in acquiescence and the convoy headed for Akhnoor. The party reached Akhnoor and Bhimber but not Mirpur, as it was late. The Maharaja lunched at Bhimber, gave the necessary instructions to officials for the security of the city, and returned to Jammu at 10 0'clock at night.

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Clearly the change in the Maharaja's tour programme was the result of the Sangh's alertness. It saved him and Pakistan's kidnap plot fell through. After receiving the Maharaja's original tour programme the Pakistanis had planned a mortar attack on the Bhimber Dak Bungalow, where the Maharaja's party was to lunch on October 21. The assault was actually mounted by armoured Pakistani vehicles from Pakistan's Gujarat area, and the Dak bungalow reduced to ashes. Had the Maharaja's party been there as per the original programme, either he would have been kidnapped or all would have perished. Had the Pakistani conspiracy succeeded the whole of Kashmir would have passed under Pakistani control, as either the Maharaja and Mahajan would have been forced to sign accession to Pakistan, or they would have been killed. In either case there would have beer no Maharaja, and nobody would have had the authority to merge Kashmir with India.

After the partition Mehar Chand Mahajan, former Prime Minister of Jammu-Kashmir, and Justice Ramlal called on Shri Guruji one day. Mahajan said, 'Gurulji, we have become refugees.' Guruji immediately replied, 'No, no. You are not refugees. This entire nation belongs to everyone. You all have an equal right to it. How can anyone be a refugee in his own country? From Himalaya to Kanyakumari the whole nation is one.'

Reference: From the book of "Partition – Days The fiery Saga of Sarifices RSS" by Manik Chandra Vajpayee.

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20

NO TO MILITARY ASSISTANCE

36 days after State's Independence Pakistan after having signed 'no-war pact' with the Maharaja's government invaded the State. On August 15, 1947, J&K assumed a status of an independent and sovereign state. The Maharaja offered friendship to both India and Pakistan, her immediate neighbourers—Pakistan responded but India chose to keep silent. Pak-sponsored raiders ransacked Muzaffrabad district, tramped Uri and entered Baramulla by October 27, 1947. Dr. V.P. Menon reached Jammu to seek Maharaja's signature on the Instrument of Accession to fulfill Nehru's condition to accede first and then ask for Army. The Indian Army reached Srinagar on the morning of October 27, 1947.

Nehru vetoed every move of the Maharaja to secure militancy assistance from the Dominion. Even Sardar Patel whom it was said that he was sympathetic towards the Dogra Maharaja failed to twist Nehru. Mahatma Gandhi who was considered a 'most just' leader failed to demonstrate his impartiality. Maharaja chose both Accession and as well safety of his people. His correspondence, mainly his letters addressed to Lord Mountbatten show his passion and love for his people and the country. The Qabaili invasion aided by Pak-army was, in fact, a naked Pak- aggression, which started on October 22, 1947 taking over Muzaffrabad and crossed to Uri on October 23, 1947. Maharaja's army had only 12 Battalions with 12000 soldiers and some officers. Brig. Rajinder Singh was the Commanding Army Chief in 1947 who was deployed with about 125 Dogra soldiers on October 24, 1947 from Srinagar to stop the enemies at

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Baramulla at all costs, 'to the last man and last bullet.' J&K armies comprise, J&K Rifles with about 12000 strength who fought the invaders along more than 700 kms. border with Pakistan. Almost entire force perished while the great Dogra (both Muslims and non-Muslim soldiers) armies fought in defence of their motherland resisting the invading Pale-army who came to fight in the cloak of the 'raiders'. Brig. Rajinder Singh, Chief of the Staff of the J&K Army wrote the history as the saviour of Kashmir in his own blood. He along with over 100 Dogra soldiers stopped the enemy at Buniyar between Uri and Baramulla town till the dawn of October 27, 1947. While Maharaja was signing the Instrument of Accession in Jammu, Dogra soldiers under the command of Brig. Rajinder Singh were fighting against the invaders to keep them away from entering Baramulla. When Indian Army came to salute Brigadier and his men, they touch that everyone was martyred but the enemy had run away. Brig. Rajinder Singh died, "Last man to the last bullet." Last instance of heroism and patriotism that Chief of Army Staff laid down his life.for his motherland in world history. A great Saga of Dogra history of sacrifice!

Maharaja to Mountbatten
October 26, 1947
"My dear Lord Mountbatten,
GRAVE EMERGENCE

I have to inform Your Excellency that a grave emergency has arisen in my State and request the immediate assistance of your Government. As Your Excellency is aware, the State of Jammu and Kashmir has not acceded to either the Dominion of India or Pakistan. Geographically my State is contiguous with both of them. Besides, my State has a common boundary with the Union of Soviet Socialist Republics and with China. In their external relations the Dominion of India and Pakistan cannot ignore this fact. I wanted to take time to decide to which Dominion I should accede or whether it is not in the best interests of both the Dominions and of my State to stand independent, of course with friendly and cordial relations with both. I

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accordingly approached the Dominions of India and Pakistan to enter into Standstill Agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the standstill agreement is operating the post and telegraph system inside the State. Though we have got a standstill agreement with the Pakistan Government, the Government permitted a steady and increasing strangulation of supplies like food, salt and petrol to my State.

Armed Invasion

Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to infiltrate into the State, at first in the Poonch area, then from Sialkot and finally in a mass in the area adjoining-Hazara district on the Ramkote side. The result has been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and the looting of the Mahura power house, which supplies electric current to the whole of Srinagar and which has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer capital of my government, as a first step to overrunning the whole State. The mass infiltration of tribesman drawn from distant areas of the North-West Frontier Province, coming regularly in motor trucks, using the Manwehra-Mazaffrabad road and fully armed with up-to-date weapons, cannot possibly be done without the knowledge of the Provincial Government of the North-West Frontier Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or to stop them from coming into my State. In fact, both radio and the Press of Pakistan have reported these occurrences. The Pakistan Radio even put out the story

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that a provisional government has been set up in Kashmir. The people of my State, both Muslims and non-Muslims, generally have taken no part at all.

Offer of Accession

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so, and I attach the instrument of accession for acceptance by your Government. The other alternative is to leave my state and people to freebooters. On this basis no civilized government can exist or be maintained.

This alternative I will never allow to happen so long as I am the ruler of the State and I have life to defend my country. I may also inform your Excellency's Government that it is my intention at once to set up an interim government and to ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State is to be saved, immediate assistance must be available at Srinagar. Mr. V. P. Menon is fully aware of the gravity of the situation and will explain it to you, if further explanation is needed.

In haste and with kindest regards,

Yours sincerely,

Sd/-

Hari Singh

October 26, 1947

Nehru to Mahajan

New Delhi

October 26, 1947

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My dear Mr. Mahajan,
I gave you a hurried note today just before you left. I have not even got a copy of it. I have therefore drafted a slightly fuller note and I am enclosing it. There is no essential difference between this and the previous note.
I think, it is important for Sheikh Mohammad Abdullah to go to Srinagar immediately as the situation there requires urgent handling and his presence will be helpful. I am suggesting to him therefore to go straight to Srinagar tomorrow morning. He will come to Jammu whenever the Maharaja so desires.
We have decided to send more troops to Srinagar tomorrow as at first intended. Probably, we shall be able to send 400 by air tomorrow I am quite sure that our troops will render a good account of themselves. Apart from other officers we are wending one of our senior and experienced officers, namely Brigadier Hiralal Atal to accompany the troops. He knows Kashmir and his presence ought to be of great help.
Yours sincerely,
Sd/-
Jawahar Lal Nehru

Ruler signed Instrument of Accession
October 26, 1947

The Defence Committee met under the chair of Lord Mountbatten on October 25, 1947 only to reject Maharaja's request. Let him sign 'Accession' first and then we shall consider his request for military help. Mr. V. P. Menon, Secretary in States Ministry was sent to Srinagar to explain to Maharaja the position on October 25, 1947. He met Maharaja. Menon found conditions grave in Srinagar. Advised Maharaja to leave for Jammu so that the Hari Singh could sign the Accession in a safe place.
Mr. Menon did not take it safe to fly with the documents to Srinagar on October 26, 1947. It was on his advice that the Maharaja with the Maharani and Yuvraj left Srinagar by car and reached Jammu in the morning of 26.10.1947. Menon succeeded in making Hari Singh a little soft towards Sheikh Abdullah. V.P

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Menon returned to Jammu on October 26, 1947 and called on the Maharaja at Amar Singh Palace. The Maharaja signed the Instrument of Accession.

Nehru's Advisory to Mehr Chand Mahajan
October 26, 1947

The Defence Committee of the Cabinet of the Government of India considered the situation in Kashmir and the request made by the Government of Jammu and Kashmir State for help against the raiders who had entered their territory and caused great loss. The suggestion that the Kashmir State should accede to the Indian Union was also considered. The Committee came to the following conclusions, which were subsequently confirmed by the Cabinet:

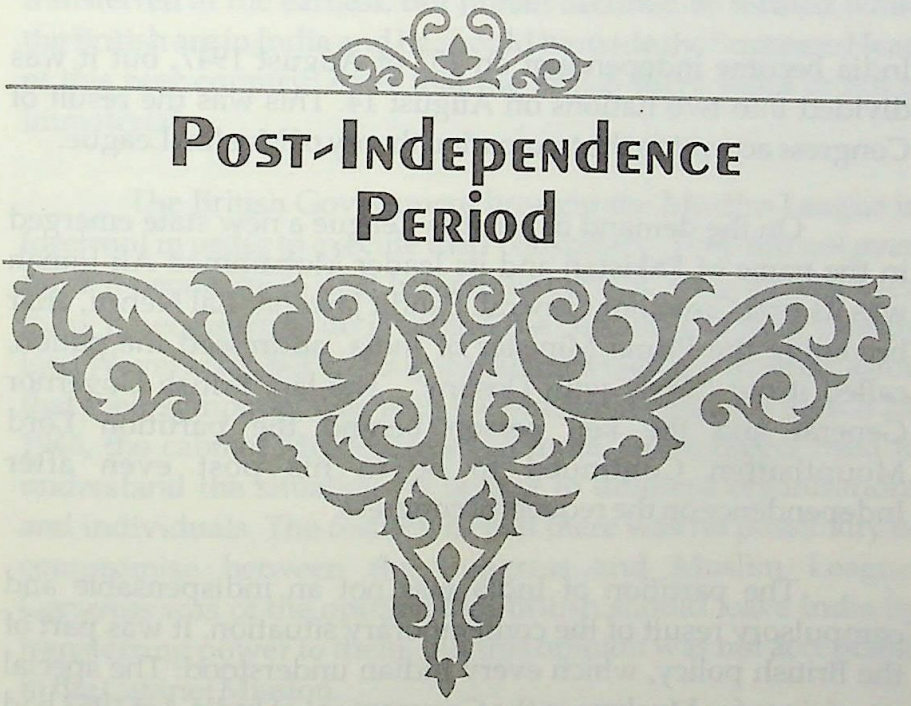
(1) In view of the request made by the Kashmir Government for help against raiders who have entered their territory, the Government of India have decided to give such help. In furtherance of this decision they are sending troops by air tomorrow morning to Srinagar. They intend reinforcing these troops by air as well as by the land route via Jammu, as the defence of Kashmir has become their responsibility now and they intend to discharge it to the best of their ability;

(2) His Highness, the Maharaja, in accordance with his wishes and the wishes of a large number of his people, will agree to Jammu and Kashmir State acceding to the Indian Union. The Government of India will accept this accession provisionally subject to their declared policy that such matters should be finalized in accordance with the will of the people. Any reference to the people can only take place when law and order have been fully established;

3) H. H. the Maharaja will invite Sheikh Mohammad Abdullah to form an Interim Government after the Mysore pattern.

Reference: From the book of "Partition – Days The fiery Saga of Sarifices RSS" by Manik Chandra Vajpayee.

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Post-Independence Period

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21

BRITISH CONSPIRACY

India become independent on 15th of August 1947, but it was divided into two nations on August 14. This was the result of Congress accepting the two-nation theory of Muslim League.

On the demand of Muslim League a new state emerged in the name of Pakistan and its leader Mohammed Ali Jinnah was its first Governor General. Pandit Jawahar Lal Nehru, after becoming the Prime Minister of India, addressed the nation, called it our "Tryst with Destiny". The last British Governor General and the key person behind the partition Lord Mountbatten Continued to be in his post even after Independence on the request of congress.

The partition of India was not an indispensable and compulsory result of the contemporary situation. It was part of the British policy, which every Indian understood. The special provisions for Muslims in the Government of India Act 1953 had given clear indication that the British were strengthening the grounds of partition on communal lines. Addressing the Haripura Conventions as Congress President separated Alstar from Ireland; in Philistine they will separate the Jews from the Arabs. Even after giving the power it is Indian Constitution the same policy of division is present in a different form.

These seeds of Partition were present in the Government of India Act 1935. In order to implement their strategy the British wanted the shoulder of an Indian, and this requirement was

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fulfilled by Mohammaed Ali Jinnah. All the efforts of Chakravorty Rajgopalachari for Hindu-Muslim unity during 1943-44 had failed. His proposals forwarded to Jinnah were somewhat similar to accepting the demands of Pakistan, which was indirectly approved by Mahatma Gandhi agreement, should be implemented only when the Britain handed over the self rule rights to India. They also wanted that both Parties should struggle together for ensuring that these rights are transferred at the earliest. But Jinnah declined be formed while the British are in India and he should be made the Supreme Head of this new country. After that the British leave India or not is immaterial.

The British Government brought the Muslim League in forefront in order to execute their conspiracy. They did not even think it necessary to do it behind the curtain. They did not even think it necessary to do it behind the curtain. The then Viceroy lord Wavel accepted in front of Mahatma Gandhi on an occasion that their sympathy was with the Muslim league. On March 23, 1946, the cabinet Mission reached India. Its members tried to understand the situation by talking to different organisations and individuals. The result was that there was no possibility of compromise between the Congress and Muslim League. Congress was of the opinion that British should leave India by transferring power to them. But this opinion was not acceptable to the Cabinet Mission.

On April 27, 1946 the cabinet Mission suggested that in India there should be a Central Rule in order to control foreign affairs, defense and communication. Further, it said that two groups should be formed of the province – one of the Hindu-dominated provinces and other of the Muslim-dominated provinces. Even before this proposal could be discussed in Congress Working Committee, Maulana Azad sent a personal message to Cabinet Mission, accepting the proposal and that he will convince the congress Working Committee for it. However

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it was another matter that the Congress Working Committee, under pressure of the nationalist leaders, expressed disagreement with the proposal.

India's population was 39 crores as per the census of 1941, in which the population of Muslim-dominated provinces was even less than 10 crores. On the basis of available data, British and Jinnah both considered Bengal and Assam Muslim dominated, where the Muslim population was 51.69%. Similarly, the non-Muslim population in Punjab, frontier provinces of Sindh and Baluchistan was 37.93%. The British were eager for making separate nation for 23% Muslim wose only representative was Jinnah, and they did not care for the opinion for 76.19% Hindus. They had no policy for Hindus living in Muslim-dominated areas, even though the Hindus population there was only a little less than 50%. The Congress had reservations on this proposal but the Muslim League declared that they accepted the proposal. That is why the congress had to decide in favour of joining the International Government.

For this, a meeting of the Presidents of both the orgnisatons was organised with the Viceroy. Maulana Azad was then President of Congress. Jinnah refused to sit with Azad because according to his philosophy, the Hindus were only enemy, but the Muslims who oppose Muslim league in treacherous and therefore he cannot sit with such a person. Congress yielded and sent Nehru in place of Maulana Azad but even then Jinnah did not turn up. The elections for Constituent Assembly were held in 1946. Total 205 seats out of 292 were bagged by the Congress. Muslim league won 73 seats out of 78 seats which were unreserved. The elected representatives of Muslim league boycotten the Constituent Assembly.

According to Mountbatten plan, the provision of Constituent Assembly were not be implemented in the pars of

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the country, which were not ready to accept it. For knowing the opinion of these parts, it was proposed that the Legislative Assemblies of Bengal and Punjab should cover the Muslim-dominated districts and the second part should cover the other areas. Each Legislative Assembly member should decide about Partition through separate majority then the Partition will be accepted.

The Legislative Assembly of Sindh was also given the similar right of self-determination. Since there was a Muslim league government there, the decision was pre-determined. In the frontier province and Muslim-dominated district Silahat of Assam, it was announced that the decision will be taken through referendum. It may be mentioned here that since there was a Muslim League government in Sindh, therefore the constituent Assembly of that province gave it the right Congress government, but it was announced for it that the decision will be taken through referendum. Similarly, the Muslim-dominated Tarparker district of Sindh was not given the same opportunity. The Congress Working Committee, which was eager for Independence instead of opposing this injustice, preferred to get freedom from the obstinacy of Muslim League at any cost. In the Congress Working Committee only Khan Abdul Gaffar Khan opposed the partition but he was not supported by any big leader including the President Maulana Azad.

Khan Abdul Gaffar Khan demanded that if Muslim League wants a separate nation for itself then the Pathans should also get Pakhtunistan. It was neither acceptable to the British nor to the Muslim league. But here they committed a great political blunder. Khan Abdul Gaffar Khan, the unanimous and Congress boycotted the referendum. As a result, Muslim League won by a slender majority and the Frontier Province was merged with Pakistan. Had the referendum not been boycotted, then certainly the Frontier Province would have been a part of India. In this sutation the Geography and History would have been different. And this is also certain that the problem arising with

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Jammu and Kashmir would have not taken roots.

In this background when almost all the parties were mentally prepared for partition, the Partition was inevitable. But all others expect Muslim League, were expecting that once the immediate frenzy gets over, the partition and its demand will become irrelevant. The British also had this in mind and therefore they considered they considered it necessary that some controversial issues must remain unsettled so that the hostility between both the countries may continue. This possibility existed in Jammu and Kashmir and therefore they not only made it controversial but also contributed to make this dispute more complex.

Jammu and Kashmir was the largest princely state of India. Both India and Pakistan wanted to annex it with them because this was on the borders of both the countries. But as per the provisions of the Independence of India Act 1947, Maharaja Hari Singh was the only authority to take a decision on whether to merge Jammu and Kashmir with India or with Pakistan. It has already been said earlier that Jinnah was Pressuring the Maharaja to merge his state with Pakistan, while Mahatma Gandhi had advised him to act in accordance with the aspirations of the people. On the other hand, that if he decided to merge with Pakistan, India would not object. Lord Mountbatten and Lord Isme urged the Maharaja to take an immediate decision in favour of Pakistan and told him that the congress will not have any objection. Despite all this the Maharaja Hari Singh decided to merge Jammu and Kashmir with India, and not with Pakistan.

Ref: Jammu & Kashmir an analysis of facts

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RADICALIZATON OF KASHMIR

Justice (Retd.) G.D. Sharma

Jammu.

The virus of radicalization is shrouded in the thick layers of history of Kashmir from the time of British rule. In the round table conference which was convened by the Britishers, Maharaja Hari Singh was the only Indian Ruler who boldly and frankly advocated the cause of independence of the Sub Continent. This was a bolt from the blue for British rulers as they felt that already crumbling foundations of their rule got further shaking. In order to teach Maharaja Hari Singh a lesson, Britishers clandestinely founded and established in the year 1932, a political organization under the name of "All J&K Muslim Conference" (herein after referred Muslim Conference). Sheikh Abdullah was elected first President and its Headquarter was established in Srinagar. Sheikh Abdullah had done Post Graduation in Science stream from Aligarh Muslim University but could not get himself selected for a gazetted post of a lecturer in two Government Colleges which at that time existed in the whole state. On merit he was selected for Government job in a High School in the State. Maharaja had established a selection board for Government jobs and the only criterion fixed for selection was merit. Britishers felt that Sheikh Abdullah who was a disgruntled educated Kashmiri Muslim could be used against Maharaja. With their patronage he resigned the Government job and became first President of Muslim League. Sheikh chose rural mosques for spreading communal hatred against Hindu ruler who belonged to minority community. Frequent meetings were held there and illiterate masses were collected to hear his communal speeches. Sheikh Abdullah had a

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gift of the gab to recite holy Quran verses which he was reciting in those meetings according to his political agenda by interpreting their meanings. In 1934, differences arose in the working committee of Muslim League and as a result thereof the committee was dissolved. Chaudhary Ghulam Abbas a Dogra Muslim lawyer from Jammu was appointed as sole dictator of the Muslim Conference. Muslims and Hindus at that time were not divided in the J&K State on communal lines and majority of the population as a whole had great regard and respect for Maharaja Hari Singh who at the time of coronation as Maharaja had publically declared that though he was born as a Hindu yet as a ruler he had no religion. This declaration he practized on the ground level in its letter and spirit.

It is very relevant to mention here, that the genesis of radicalization is shrouded in the incident of July 1931 which was engineered by the Britishers. In 1931, a European visitor came to Kashmir for holidaying and bought a Muslim cook with him whose name was Abdul Kadir. On June 21 1931, Abdul Kadir delivered a speech in the premises of holy shrine of Srinagar known as "Khanquah of Sheikh Hamdan." The speech was highly communal and of seditious nature. He was arrested by the administration and put to trial in the competent Court of Law. People started gathering in large numbers to watch the trial proceedings. For safety reason the venue of the Court was shifted to central jail Srinagar. On July 13, 1931 when the proceedings were going on inside the jail an unruly mob estimated to be around 5000 people collected outside the jail premises. The mob became agitated on the instigation of some agents of Muslim League and they tried to forcibly break open the gates of the jail. Inmates of the jail also showed sympathy and started becoming restive. For security reasons the security forces were compelled to open gunfire as a result thereof twenty one rioters were killed and many wounded. The mob took their dead bodies to Jama Masjid where communal speeches were delivered. The radicalization spread its wings in the whole valley and communal riots started in which three members of

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minority community were killed and many women were disgraced in the Srinagar city. Shops were looted belonging to the minority community at different places. This virus spread even up to the Muslim Majority district Mirpur of Jammu Region where some shops of Hindu money lenders too were looted. From the time of Sheikh Abdullah's Rule this day of July 13 1931 is being celebrated as "Martyrs Day" throughout the state as the Government has declared a Government Holiday. Special prayers are held by the followers of National Conference of Sheikh Abdullah who offer prayers on their graves. The prayers are attended by all Ministers and other high dignitaries of the Government. (For detail study read pages 94-108 of my book referred shortly herein after)

In other Princely States the freedom movement launched by Indian National Congress was having its impact. Indian National Congress took deep interest in what was happening in J&K State. In 1938 the working committee of All J&K Muslim Conference met at Srinagar and after a heated discussion lasting 52 hours passed a resolution recommending to the general council to allow all people to become its Members, "irrespective of their caste, creed or religion". In this way in 1939 the J&K National Conference came into existence and Sheikh Abdullah became its President. In 1940 Jawahar Lal Nehru's visit to Kashmir was liked by Kashmiri's. In 1944 the National Conference's programme known as 'Naya Kashmir' was formulated. Jinnah did not like the ideology of National Conference and he preferred Chaudhary Ghulam Abas of Jammu. This was a calculated political move because All India Muslim league leaders had easily access in the adjoining Muslim dominated areas of Jammu region. In the summer of 1944, Jinnah came to the State of Jammu and Kashmir along with his sister Fatima Jinnah. They reached Jammu on 08-05-1944. According to the account given by Mohd Sarvrar Abbasi, Vice Chancellor of Muzaffarabad University, "Jinnah was received jointly by leaders of Muslim Conference and National Conference (under the leadership of Bakshi Ghulam Mohd) at

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"Suchetgarh" of RS Pura tehsil of Jammu District. A warm welcome was arranged for the Muslim League leader Jinnah. In the evening in Jammu City a big public meeting was arranged at Eidgah by Chaudhary Ghulam Abbas, Advocate and his colleagues. Next day i.e. on 09-05-1944; Jinnah entered Kashmir Valley and he was accorded big reception by National Conference in Pratap Park area of Srinagar City. The reception address in the honour of Jinnah was read by Pt. Jia lal Kilm- a Kasmiri Pandit Advocate of Srinagar who was one of the prominent members of National Conference. When Shiekh Abdullah became the Prime Minister of J&K State at the mercy of Maharaja Hari Singh, he by virtue of his first order made Jia lal Kilm as the Judge of J&K High Court. In his address, Pt. Jia Lal Kilm very cleverly inserted at the end, "such receptions are held in honour of great men whosoever visits Kashmir." These words irked Jinnah and in his speech he rebutted the assertion of Pt. Jia Lal Kilm stating that "reception was arranged not for his person but for his organization i.e. Muslim League of India of which he was the Head." Jinnah stayed at Srinagar for two months and enjoyed reception parties at different places. He heard the views of National Conference leaders as well as their arch adversary political party Muslim Conference which was lead in Kashmir Valley by Mir-Waiz of Kashmir Yousuf Shah. In his reception by the National Conference, Jinnah said, "The Muslims have one platform, one Kalima and one God, I would request the Muslims to come under the banner of Muslim Conference and fight for their rights." Jinnah also presided over the annual session of Muslim Conference and in his speech he described the "National Conference as a band of gangsters." He levelled, 'Quit Kashmir' movement started by Sheikh Abdullah, was an agitation carried on by a few malcontents, who were out to create disorderly conditions in the State. At this juncture Sheikh Abdullah realized that his political future with Jinnah was bleak and thus did not join with the dominion of Pakistan. Jinnah was a man of great ego and possessed haughty temperament. Sheikh Abdullah had come in close contacts with Indian leaders like Mahatma Gandhi, Jawaharlal Nehru, Abdul Gaffar Khan,

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Maulana Abdul Kalam Azad and he had read their mind-set which was of tolerant and benevolent nature. Sheikh Abdullah's hatred for Jinnah had found expression in his biography, Atish-e-Chinar.

In the summer of 1945, a unique session of National Conference was held at Sopore (Kashmir) and the important feature of this session was the meeting of Standing Committee of the All India States People Conference under the President ship of Jawaharlal Nehru. It is noteworthy to unfold the mindset of Sheikh Abdullah which became evident at this crucial juncture. He had a hidden agenda in his mind to make Kashmir valley as his fiefdom by nourishing an idea that Kashmir Valley was inhabited in majority by his co-religionists and ultimately they would be supporting him to retain the seat of power as he had no other political adversary of significance. Sheikh Abdullah was enamoured by the Communist Party of India line especially of its concept of right of self-determination, but in that Session Pt. Jawaharlal Nehru had snubbed that unnecessary importance was given to such an Idea. Communist Party of India had given ideas to Sheikh Abdullah, and the details can be found in the book authored by me under the title, "PLIGHT OF JAMMU AND KASHMIR: THE UNKNOWN FILES." (See page 101 and 102)

QUIT KASHMIR MOVEMENT AND DETAINING OF PT. JAWAHARLAL NEHRU.

In March 1946, Cabinet Mission came to India for negotiating with Indian leaders about the manner in which the transfer of power was to be made. After examination of the demand of Muslim League for Pakistan, the Cabinet Mission came to the conclusion that it was not practical to set up a sovereign Muslim State and instead suggested a federal Union of India with a weak center. With regard to the Princely States, the Cabinet Mission made it clear that while it would not be

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possible for the British Government to carry out its obligations of paramountacy over such states after a new self-governing government or governments came into being in British India, the British Government could not and would not in any circumstances transfer such paramountacy to the Indian Government. Britishers had already hatched a conspiracy in the year 1940 to create a soft Muslim ruled State in order to halt the advancing communism from the Communist State of Russia and upcoming Communist State of China. For that matter; the areas of Jammu and Kashmir and its majority population of Muslim's suited them to be included in the newly created dominion of Pakistan for Muslims. The second thoughtful idea in the mind of Western powers was to control the oil-wells of Middle East through the proposed Muslim State of Pakistan having her borders touching areas of Middle East kingdoms and the borders of Afghanistan. This policy statement of the Cabinet Mission provoked Sheikh Abdullah to challenge the validity of the Treaty of Amritsar of 1846 entered between East India Company and Maharaja Gulab Singh, because under that scheme the paramountcy was to revert to Hindu Ruler Maharaja Hari Singh, after the departure of Britishers from the sub-continent. On May 15, 1946 Sheikh Abdullah launched 'Quit Kashmir" movement and in his speech on May 17, 1946 he said, "The tyranny of Dogras has lacerated our souls. It is time for action. You must fight slavery and enter the field of 'Jihad' as soldiers. Every man, women and child will shout, 'Quit Kashmir'. The Kashmiri Nation has expressed its will. I ask for plebiscite on this question." It is thus established that Sheikh Abdullah was the first man who spelled out his mind-set the idea of (i) 'Jihad', (ii) Kashmiri nation and (iii) plebiscite even at that time when Indian sub-continent had not become independent State or States. On May 20, 1946 Sheikh Abdullah was taken into custody along with other prominent leaders of National Conference under the relevant laws. Pt Jawaharlal Nehru set afoot his journey to meet his detained friend and raised protest for his detention. However, he was refused permission to enter the State and gracefully was detained at a

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place known as Kohala which fell in the territory of Jammu and Kashmir State. Pt. Nehru was kept in the Dak Banglow and was provided a car. Pt. Nehru had come on his own to defend his fast friend Sheikh Abdullah even without informing his parent organisation namely, Indian Congress. When this fact was known to the leaders of the Indian Congress they immediately called him back. This historical incident spoiled the relations between Pt Jawaharlal Nehru and Maharaja Hari Singh. Sheikh Abdullah always exploited this incident in his favour fully well knowing that Pt. Nehru had become very hostile to Maharaja. This unfortunate incident also worked in favour of establishing the dysnatic rule of Sheikh Abdullah by the special favours of Pt. Nehru. On September 29, 1947, Maharaja Hari Singh released Sheikh Abdullah from the prison after pardoning his remaining conviction and sentence for a term of one and a half years. This was done after receiving a letter of unqualified apology letter written by Sheikh Abdullah on September 26, 1947.

At the end of April or on 1st May 1947, Maharaja Hari Singh allowed Maharani and Dr. Karan Singh to visit Lahore. Maharani arranged a meeting with Justice Mehar Chand Mahajan of Lahore High Court at Fletti's Hotel in Lahore and offered to the latter the post of Prime Minister of J&K State. Justice Mehar Chand Mahajan renewed the offer at the end of August 1947 (page 123 and 124 of the book Looking Back written by Mr Mahajan). After fulfilling all the formalities his formal order as Prime Minister of J&K State was issued by Maharaja on 18th September 1947. His tenure was fixed for five years. Through Mr Mehar Chand Mahajan as Prime Minister the Accession of the State of J&K was made by the Maharaja with Indian Dominion (the details of these events can be found in the Book already referred scribed by Mr Mahajan "Looking Back"). It was also agreed that Maharaja's status had to remain equivalent to the status of Maharaja of Mysore, but under the misguidance of Lord Mountbatten, Prime Minister Pt. Nehru referred the Kashmir dispute to the U.N.O when Indian Army was advancing and it was a matter of few months for the

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clearance of whole Pakistan Occupied Jammu and Kashmir State. Some of the relevant speeches of Sheikh Abdullah of communal nature are recorded with details in the above referred book scribed by me "Plight of J&K- The Unknown Files". The last speech of very anti-national nature was made by Sheikh Abdullah in a public meeting held in R.S. Pura area of Jammu District and Pt. Nehru was awakened and alarmed. Pt. Nehru realized the ultimate game plan of Sheikh Abdullah to carve out a Muslim State for himself and his progeny. It is noteworthy that vide a letter addressed to Maharaja Hari Singh by Prime Minister Pt. Jawahar Lal Nehru, the latter had clearly advised Maharaja to have full faith in Sheikh Abdullah who was a 'Nationalist'. The contents of the letter can be found in my above referred book. Maharaja Hari Singh was compelled to leave the State for good within a span of two years, after Sheikh Abdullah had usurped the high seat of Prime Minister of J&K State. Sheikh had already succeeded in easing out Mr. Mehar Chand Mahajan from the post of Prime Ministership within a period of four months after the date of Accession. All his elected colleagues in the J&K Constituent Assembly also realised the dangerous game plan of Sheikh Abdullah and revolted against his communal and discriminatory treatment being made out against the Hindu's of Jammu Region as well as anti-national activities. They unanimously revolted against him and Sheikh Abdullah was detained as he had lost the majority in the Constituent Assembly. His detention order was passed by then Sadre-i-Riyasat namely, Dr. Karan Singh who was acting on behalf of his Sovereign father Maharaja Hari Singh as a Regent. Later on a notorious conspiracy case was foisted against Sheikh Abdullah and there was sufficient documentary evidence in support of his involvement for the commission of heinous offences such as waging war against the State, Sedition etc. A Special Magistrate was designated to hear his case and on the basis of evidence committal order was passed against Sheikh Abdullah to withstand his trial in the special designated Court of Sessions Judge. After the formation of Bangladesh Sovereign State as a result of the war of 1971 fought with Pakistan by India, Sheikh

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Abdullah realised that Independent Jammu and Kashmir State was a day dream and he gradually and slowly entered into political agreement with the then Central Government known as Indira-Sheikh Accord. The conspiracy case was withdrawn and again Sheikh Abdullah was made the Head of the State but not as Prime Minister. He assumed the charge as Chief Minister by accepting the status of the J&K State as an Integral part of India. He remained Chief Minister from 1975 to 1984 and during this period he got second chance to recruit in State Government services hundred of his followers who supported his ideology to Rule the State on the basis of majority population. During his detention after 1953, immediately Sheikh Abdullah had floated a political unlawful organization known as "J&K Plebiscite Front". Vide Central Government S.O 227 dated 12-01-1971; the said Organisation was banned as Unlawful Organisation. Consequently, the above said S.O 227 was judicially confirmed as Unlawful Organization by the then Chief Justice of the J&K State High Court namely, Late Sh. Murtaza Fazal Ali, under the provisions of Prevention of Unlawful Activities Act. Sheikh Abdullah had inducted his political followers of Plebiscite Front Organisation in the Secretariat, State Legislatures and appointed a few activists in the judiciary. The glaring proof of Radicalisation is found that Sheikh Abdullah immediately withdrew the pending case framed against the members of underground dangerous accused of Terrorist Organization known as Al Fateh. In Chapter 22 of my above referred book, full discussion has been made how the State administration was Radicalised from 1948 to 1953 and then after 1975 to 1984. It is noteworthy to mention that full text of the Judgement regarding the judicial confirmation of Plebiscite Front Unlawful Organisation has been reproduced in my above referred book. When Sheikh Abdullah died, his unfinished agenda was advanced by his son Dr. Farooq Abdullah. As an example; record speaks for itself that during the Governor's Rule in the State from the year 1990 up to September 1996, only five incidents of militancy took place while as when Dr. Farooq Abdullah became Chief Minister of the State from October 1996

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to July 13, 2002 as many as more than 36 militancy related incidents took place. Full details of these incidents have been given at pages 382 to 387 in my above said book. In order to change the demographic composition of Jammu Region, unauthorised colonies inhabited by Muslims have come up by encroaching on the State as well as Forest Lands including beds of nallahs, rivulets etc. These abodes even extent up to Border areas and some of the occupants harbour militants after their crossings from Pakistan areas. Recently, 200 unauthorised houses have come up around the Command Military Headquarter area of Nagrota and when Army took some steps to evict them, the local MLA of National Conference came to their rescue. A militant attack in the Army Cantonment area of Nagrota is known to everybody. Political Alliance was made by Dr. Farooq Abdullah not only with Congress but also Separatist Leaders like Moulvi Farooq. Dr. Farooq was running the Government in a casual and wayward manner leaving the vacant space for terrorist Organisations to spread their wings and hijack the Government machinery. Thousand numbers of Public Servants belonging to every department were allowed to cross the border and receive training in militancy related acts in Pakistan. They were marked present in their respective offices and salaries used to be dispersed in their homes. Even there was a revolt in the Police. The Senior IAS Officers were allowed to make representation in UNO Office in Srinagar against J&K Government. Minority Hindu community from Kashmir valley was forced to migrate for their safety either in Jammu Region or outside the State. Even hilly areas of Jammu region were infested with militancy related acts of murders, house burning etc and they had to migrate. Immature leadership of Late Sh. Rajiv Gandhi in the Center had joined hands to run the State Government with Dr. Farooq Abdullah.

Ultimately in 1990, when there was total collapse of Government machinery, Governor's Rule was imposed and Sh. Jagmohan was appointed second time as Governor of the State. Immediately he banned eight prominent militant organisations

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under the provisions of J&K Criminal Amendment Act. A high powered Tribunal was constituted of which I was made the Chairman even though at that time I was not elevated as Judge of the High Court. My elevation was being intentionally delayed by Kashmir Centered Government. Under Chapter 20 relating to Terrorism in my above referred Book, a full account has been given about the bans imposed upon those Eight Militant Organisations. The Judicial orders passed for the confirmation of those Executive Orders in summary manner have been reproduced in that Chapter of my Book. It is unfortunate that no action under Law was taken against the activists and the leaders of those Organisations though Law mandated that after Judicial Confirmation there should have been Criminal prosecution as well as attachment of their properties. During Governor's Rule, 700 teachers were dismissed who were running the Islamic Madarsas numbering 106 including one College but their reinstatement orders were passed when popular government of Dr. Farooq Abdullah was formed in the State. Even some appointments were made with the aid of High Court orders which were not appealed in the Apex Court.

At the end it is stated that Sheikh Abdullah during the year 1947 played a positive role in the State to maintain Communal Harmony in Kashmir valley. Some of his political workers were killed by invaders and even during Farooq Abdullah's rule some of them lost their lives because hardcore militants wanted to establish absolute wahabi type of Islamic Rule on the pattern of Saudi Arabia in the State. Had Pt. Nehru, Maharaja Hari Singh and Sheikh Abdullah acted in tandem, there would not have been Radicalisation in the State.

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KASHMIRIAT DEVOID OF HINDUTVA?

The current issue of Shri Amarnath Shrine Board has completely exposed the Kashmiri leaders' deep-rooted anti- Hindu feelings and acrimonious attitude towards India. The Kashmiri leaders, who are the descendants of the Hindu ancestors, have proved, by raising the slogan of independent Kashmiri nation, that they have nothing to do with their illustrious ancestors, their magnificence and indefatigable Kashmiriat. These extremist leaders are more Concerned about the legacy of the atrocious aggressors and are out to destroy the great cultural traditions of their forefathers. This is the reason why these Kashmiri leaders were unwilling to give 100 acres of land in Kashmir to the 100 crore Hindus.

Unfortunately and unwisely, the fanatic leaders like Geelani, Mufti, Farukh, Shabir Shah and Yasin Malik have come to believe that 'Jihad' and 'Kashmiriat' meant destruction and desecration of math, mandir; places of Hindu faith and large scale violence. Why do they ignore the fact that merely five hundred years ago, all Kashmiris were Hindus. Kashmir, the pride of Bharat Mata presented to the world various faiths such as Naagpuja, Shaivism, Buddhism, Vaishnavism etc. so essential for the welfare of mankind.

The great Hindu Kings and Emperors like Lalitaditya, Avantivarman, Harsh, Meghvahan, Durlabhvahan and Chandrapeed brought world acclaim to Kashmiriat. The various branches of human knowledge like Mathematics, Ayurveda,

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Science, Statistics and Philosophy originated and developed in the land of Kashmir, reached out to the entire world. When Indian borders touched Mid-Asia, India was ruled by the Emperor Lalitaditya who was a Kashmiri Hindu. Though, in the present era, the descendants (converted Muslims) of Lalitaditya and Chandapeed, are out to destroy the åue and glorious spirit of Kashmir, yet it is absolutely frue that Kashmiriat is part of the Hindu culture. With a view to destroy the cultural heritage of Kashmir in collusion with the foreign aggressors, the terrorists and separatists who are shedding human blood, themselves have the blood ofthese Hindu ancestors in their veins. Rather unwisely, for them, Jihad and Kashmiriat meant destruction ofthe Math, temples, centres ofculture and educational institutions, which, in fact, were built by their own ancestors.

There has never been any conflict, whatsoever, among the followers of various forms of faith and worship which were born on Kashmiri soil viz. Shaivism, Nag puja, Vaishnav and Buddhism. All these faiths, their, torch bearers, and followers became inseparable part of India and Indian nationalism. Even the foreign rulers like Kanishka and Mihirkul belonging to Kushaan and Hun races accepted Shaivism and Buddhism respectively and accepting the Indian ethos, merged into the national mainstream. But when Islam came to Kashmir, began an era of conflict, separatism, forced conversions, suppression and fanaticism. Ushering a mindset of gross intolerance towards other creeds and people, it brought about the culture of Jihad and bloodshed. This is the tragedy of Kashmir. The current furore of ' Separate Kashmiri Nation' is part of the legacy of the age-old intolerance, insensitivity and fundamentalism as the Islam does not allow its followers to assimilate into the mainstream of any nation. It basically propagates a flawed notion that any part of the land with Muslim majority must become an Islamic state. Pakistan is the product of that deep-rooted ideology. Kashmir is following the same trend. During the last 500 years, Hindus have gone through one of the worst and cruel phases of human history at the hands of the Muslim

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rulers who forced them to accept Islam. The recent mass exodus of Kashmiri Hindus from Kashmir is the latest version of that intolerance and fanaticism which has no respect and consideration for non-Muslims.

The leaders who were peeved during the Shri Amarnath land movement harboured, rather naively, ill-conceived fears like Kashmir being turned into a Hindu colony, imbalance in Muslim population and prospect of Hindus settling in Kashmir. They must be asked as to who turned the 500 year old Hindu Kashmir into a Muslim colony and who supported and joined hands with the foreign invaders in their vicious designs? They must be asked as to who decimated the world-famous Sun temple like Martund Temple and thousands of worship places of Hindu faith, the great Sanskrit scriptures preaching welfare of mankind, libraries, eminent institutions of science and spirituality?

The process of converting Kashmir, ruled by the foreign invaders, Syeds of Hamdan, Moghuls and Afghans in the past, into an Islamic nation, completely devoid of Hindus, still continues. In fact, the speech delivered by Sheikh Abdullah at the Lal Chowk in Srinagar, immediately after assuming power subsequent to accession of Kashmir by Maharaja Hari Singh at the time of partition, laid the foundation of the present mindset of separate Kashmiri Nation. During that speech, he kept on instigating and whipping up passions among the simple-natured Kashmiri people. In his words, "We have lifted the crown of Kashmir from the ashes. Whether we merge with India or Pakistan is the issue to be considered later. First, we must achieve complete freedom forourselves. " It is quite clear that Sheikh Abdullah was instigating the majority community of the valley in the name of Islam to wage Jung-e-Azadi (war for freedom). Regrettably, in the last 63 years all the political parties which came to power in the state of Jammu & Kashmir, lent support to the forces of separatism. The Kashmiri youth who have taken up arms and are hell bent on destroying the

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Kashmiriat of their forefathers, are the products created by these fanatical separatist leaders and madarsas.

It is incomprehensible that though Pt. Nehru somewhat redeemed the various blunders he committed in Kashmir affairs by putting Sheikh behind the bars, but no action was taken against those who kept promoting anti-nationalism and sedition for the last six decades, including leaders of Huriyat Conference, National Conference, PDP and Congress. On the contrary, the atmosphere was further vitiated by formulating policies based on the politics of appeasement. The government, by first making allotment of land to the Shrine Board and then reversing its own decision under pressure, not only highlights its abject surrender to the flag-bearers Of Kashmiri nationalism but it also encouraged these elements to pursue their agenda off fundamentalist Kashmiriat. Otherwise, the forces ofseparatism harping on the 'independent Kashmiri state' within the Indian nation, could not have dared to do so.

Why do the people raising chorus of 'independent Kashmiri nation' forget that the nationalism is a cultural ideology and philosophy and not a political doctrine. The faith and culture on which 'Kashmiriat ' is supposed to be based and which are being confused with 'nationality' was not borne on the Kashmiri soil. None of the propagators of this culture was a Kashmiri. This culture happened to arrive in India along with the foreign invaders. These invaders went about demolishing the 5,000 year old culture, its guardians and followers and slapped a foreign culture on Kashmir. How strange and shocking it is that Kashmiri Hindus who valiantly fought the invaders and sacrificed their lives to save and secure the Kashmiri honour had to leave their own land in disgust and desperation. And the people who shamelessly surrendered to those invaders and defaced the true Kashmiriat have come to assume the seats ofpower and now raising chorus of Kashmiri nation.

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It is quite obvious that this foreign culture and faith can neither be Kashmiriat nor nationalism. The Kashmiriat which has no place for Kashmiri Hindus, no reverence for the great Kashmiri heritage and provides no basis for the 5,000 year old fabulous history of Kashmir can never achieve the status of a national phenomena. The communal-minded frenzy and Kashmiriat which the ill-advised Kashmiri leaders believe to be a call for an independent Kashmiri 'nation' is, as a matter of fact, theory of a 'Muslim nation' without the Kashmiri Hindus. The spirit of nationalism can not be inculcated without appreciating the basic culture ofa nation. Since time immemorial, India has remained as one nation, one culture and one entity and Kashmir is an inseparable part of that Bharat Rashtra. According to the Indian philosophy, a nation is developed and not made, where as, in the Western and Islamic world, it is accepted as a political unit. Therefore, as long as the concept of a 'nation ' was recognised as a cultural ideology in Kashmir, the Kashmiriat continued to be a part of Indian nationalism. But when the concept of 'nation' came to be characterised in the Narrow minded confines of religion, the Kashmiriat too became Narrow minded and fundamentalist. When the foreign culture and ideology took the reins of power in Kashmir, it brought along 'Nizam-e-Mustafa ' i.e. 'Rule of Religion' which usherd in the trend of 'separatism '. This sums up the tragedy of Kashmir.

Therefore, the Kashmiri people especially the youth must act sagaciously, getting rid of the leaders harping on the charade of Kashmiri nation ' , should join the mainstream of Bharat Rashtra. This is the only way Kashmiriat can be saved and preserved. They should understand that the blood flowing in their veins is the blood of their Hindu ancestors, Like elsewhere in the country, the ancestors of both, the Kashmiri Hindus and Muslims are common, their history, their culture, their root-everything is common. Therefore, undoubtedly, they have common nationality. If, by following different tenets of religion, different forms of worship and prayer, the commonality of ancestors can not change, then how can the

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culture, faith and nationality of the ancestors change? The Kashmiri youth must give a serious thought to the fact that only by preserving the Kashmiriat based on the culture of their forefathers can they protect Islamic principles. The seers, sages and holy men, since ancient times, have served the Kashmiriat with their sweat and blood and raising a rebellion against the same blood and holy souls, will prove suicidal and disastrous for Kashmir. The notorious deeds of some misguided and disgruntled Kashmiri youth are bringing disrepute and disgrace to the entire Islamic society across the world.

The indiscreet clamour for a separate nation, the anti-Hindu mindset, violent and irresponsible behaviour of the Kashmiri leaders is itself against the Islamic tenets and norms. In this context it is logical to raise certain questions - If Islam preaches brotherhood and harmony, why this bloodshed? The path of terrorism and violence adopted by the extremists and supported by the separatist leaders will only bring humiliation and embarrassment to the land of Kashmir, Kashmiriat and Islam. It is high time to see through the crooked designs of Pakistan and the fanatic elements. Behaving in a sane and responsible manner, let us not allow the gorgeous and scenic valley of Kashmir to be destroyed. Let us embrace the Swadeshi Kashmiriat and bid farewell to the foreign one before it is too late.

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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FALL OF BAGH (POONCH)

Poonch and Rajouri remained under the siege of Pak-troops for one year. It was great resistance, says Captain Dewan Singh who was serving in Poonch in J&K army in that sector during the defence of Poonch campaign. Brigadier Pritam Singh displayed a unique military strategy in defence of Poonch. Col. Hiranand Dubey made historic contributions to save town of Poonch and Rajouri from the siege of Pakistani Army. The role of local Muslim, Hindu and Sikh leaders was highly nationalist and historic. However, Bagh, Rawalakote and other areas on the west of Poonch town were lost. This was one more blunder that the most strategic areas of J&K were allowed to break from J&K only because the Sheikh did not want them with Kashmir. Nehru was Sheikh's top supporter.

Delhi's Mischief

Earlier, N. Gopalaswami Ayyangar, an important Dominion Minister dealing J&K shot a letter to Maharaja Hari Singh on December 24, 1947 which reveals the mischief that was cooking up in Delhi against the Maharaja.

"I am most grateful to Your Highness for your letter of December 17, 1947. We have given anxious consideration to all the points mentioned in that letter and during the last two days we have had the advantage of further discussion of several of those points with Sheikh Abdullah.

2. I have set out below our considered conclusions. In our opinion they are in the best interests of the Jammu and Kashmir

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State, its Ruler and its people. I earnestly hope that you will find yourself able to accept and give effect to all of them.

3. The Government of India docs not desire that you should deviate from the Mysore model except in respect of matters which are considered minor and which are necessitated by the different conditions, which ordinarily, and particularly now, prevail in Kashmir. For the Interim Government which you are anxious to set up immediately, the model should undoubtedly be the Mysore one but, in adopting that model to the present situation in your State, its peculiar conditions and the provisions of its existing Constitution deserve to be taken into account. These have been kept fully in view by us,

4. You have laid stress on the reservation of subjects listed in Schedule-II of the Mysore Proclamation dated September 24, 1947 as being its most important essential. Most of the items in this schedule are reserved matters under the Jammu and Kashmir Constitution Act. Items l, 2 and 4 are reserved from the cognizance of the Praja Sabha under Section 24 of the Jammu and Kashmir Constitution Act, 1896, though the description is not identical. They can be included in the list of subjects in the administration of which you are not bound to obtain the advice of your ministers. The powers of the Ruler under item 3 in regard to the High Court are to be found in Sections 48 and 49 of that Act. In addition, similar powers are reserved to the Ruler in Section 71 as regards the Board of Judicial Advisers. The Ruler's powers to summon and dissolve the Legislature (Item 6 of the Mysore model) are provided for in Section 15 of the Act. The residuary and emergency powers (Item 8 of the Mysore Schedule) are reserved to the Ruler and Sections 4 and 5 of the Jammu and Kashmir Act. The only matters in the Mysore Schedule which do not find specific mention in the Jammu and Kashmir Act are:

(a) protection of legitimate interests of minorities; and
(b) superintendence, direction and control of elections,
(a) may be reserved in the Proclamation to issue. It seems

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Unnecessary to reserve (b) also. The matter referred to therein is one which could well be left to the Council of Ministers.

5. The Interim Ministry will, as suggested in your letter function as a Cabinet with a Prime Minister at its head, and with such number of other Ministers as may be fixed by you in accordance with the provisions of Section-6 of the Constitution Act.

6. There may be a Dewan in addition to the Council of Ministers It is desirable that he should have the right to attend meetings of the Cabinet, so that he may be closely associated 'With the work of the Cabinet, and might function as an effective Liaison Officer between the Cabinet and the Ruler, interpreting the one to the other and aiding and advising the Ruler in the transaction of business connected with reserved subjects. Not only does Section 6 of the Constitution Act require that the Prime Minister should preside over the Council of Ministers, but it is on the merits essential that he should do so. To direct that a person other than the Prime Minister should preside over the Cabinet would not make for that perfect understanding and intimate association between the Ruler and his Prime Minister, which are so essential for efficiency of administration.

7. I agree entirely that the person to be selected for the post of Dewan should be a man who enjoys your full confidence. It is, however, at the same time desirable that man should not be one to whom the leader of the Government has any violent objection The two have to get on with cordiality and good understanding if Your Highness' Government of the State is to achieve the maximum beneficial results for the people that it ought to achieve. There can be no question of anybody attempting to sabotage your selection of the proper man for the Dewan's post. I am in a position to assure you that Sheikh Abdullah himself is only too anxious to have, as liaison between him and you, a Dewan who enjoys your fullest confidence, so that his relations with you might be of the smoothest possible description. Should Your Highness so desire, I shall be glad to be of assistance in selecting a Dewan who will be the best possible choice from all points of view.

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8. We and in 'we' I include myself, Pandit Jawahar Lal Nehru and Sardar Vallabhbhai Patel are convinced that it is not possible for Sheikh Abdullah and Mr. Mehr Chand Mahajan to work together in the same Government here after and that it is best in the circumstances that Mr. Mahajan should be allowed to terminate his present connection with the State. I have already informed you that I have good reason to think that Mr, Mahajan would probably himself be glad to be relieved from the embarrassment of Your Highness asking him to say on in the State.

9. In ordinary circumstances I should certainly have agreed in your view that six Ministers should be adequate for a State like Kashmir. The State is, however, in great turmoil. The invader has to be expelled, rebellion has to be quelled, law and order have to be established and normal economic life revived. For a considerable time to come, the burden of Government in Kashmir will be much heavier than in ordinary times. I have discussed this question with Sheikh Abdullah. He considers that there is more than enough work for each of 12 or 14 Ministers and he urges that this number need not scare anybody, as the salaries that will be taken by them will be very much smaller than the salaries that you have been paying your Ministers hitherto the pitch of the salaries is not wholly relevant in this connection. It is desirable to avoid a crowd of Ministers. Responsibility will get too scattered and unity of policy and close collaboration in administration might not be fully achieved if the number of Ministers is too large. Taking all circumstances into consideration, I should recommend for the Interim Government, which will function only till the new Constitution is fashioned and comes into force, strength of nine Ministers. This would incidentally provide room for adequate representation, in the Ministry of Minorities and the different areas of the State. On this latter matter, namely, representation of Minorities and province, Sheikh Abdullah is as keen as you yourself are. His immediate object is so to constitute his Government that he will be able to rally to his support the maximum proportion of the population, especially in view of the

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threatened plebiscite.

10. On the question of the Army I though I had made it clear to Your Highness that there was no need to fix proportions for the recruitment of the different communities in the Army. I am glad that you are prepared to take Kashmiris, both Hindus and Muslims, into the Army provided that suitable material offers for recruitment. For the rest, no more is necessary than to apprise all sections of population in the State of the policy of Your Highness and Your Government to provide opportunities of service, whether civil or military, to members of all creeds and communities in the State on their merits. I agree, and I am in a position to assure you that Sheikh Abdullah agrees, that, for some time to come and until things have completely settled down and normal life has been in full swing for a considerable period, we should hardly think of recruiting any large number of Muslims from the Jammu Province (including the Poonch area) which has contributed the largest number to the rebel ranks in the present disturbances. The populations of these areas have first to be won over and their loyalty to the State proved beyond cavil before recruitment to the Army from their ranks can be safely allowed to take place. It is, however, important that, in order to win them over, they should have the expectation from now that, if they become and remain loyal to the State, opportunities for service to the State, whether in a civil or military capacity, will not be denied to them.

11. The Mysore Proclamation dated September 24, 1947 laid down the Dewan the duty of framing a Constitution Bill and directed that, in doing so, he should obtain the advice and counsel of a committee elected by the Legislature and of such other experts and expert bodies as might be found suitable and desirable. There was some controversy on this matter in Mysore State and, in the final understanding that was arrived at between the Dewan and the President of the Mysore Congress and embodied in the Mysore Maharaja's Proclamation dated 29th of October, the direction in this respect was that the Interim Ministry should set up a Constituent Assembly composed of

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elected representatives of the people and entrust to it the task of framing a Constitutional Bill providing for Responsible Government under the aegis of the Maharaja. I think that, so far as Kashmir is concerned, it would be sufficient if the Proclamation that will be issued by Your Highness gives the direction that the Interim Ministry should submit to you, as possible; proposals for bringing into existence a Constitution making body composed of elected representatives of the people for the purpose of framing, for your approval and promulgation a Constitution for the J&K State.

The constitution of' the present Praja Sabha provides for a large faction of nominated members and will therefore not be accepted either to the National Conference or even to other political bodies in the State. It would seen, therefore, best to ask the Indian Ministry itself to submit for your consideration proposals regards the composition of the Constitution making body and the method of choosing the members.

12. This letter has become longer than I originally intended, I hope, however, I have met all the points raised in your letter.

13. With a view to saving time, the States Ministry is being asked to prepare a draft of the Proclamation and to send it on to you as early as possible for your consideration. If you desire, in the meantime, to give any instructions in connection with such drafting, will you kindly have them communicated to that Ministry direct by telegram or by letter?

14. The actual personnel of the Ministry have to be proposed by Sheikh Abdullah for your acceptance. If, in connection with this matter or for the purpose of further discussion of what I have said in this letter, my services should be required, they are always at your disposal."

Reference: from the book " A History of Jammu" by Parvez Dewan.

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PVC DENIED TO KASHMIR SAVIOUR

Unique heroic sacrifice of Brig. Rajinder Singh who met martyrdom being Chief of the Army Staff of J&K Forces at Uri sector on the day Maharaja signed Instrument of Accession did not touch the souls of Delhi rulers. He was denied Paramvir Chakra only because he defended his state and was a Dogra Rajput.

In October 1947, Pakistan supported raiders were pressing towards Srinagar. Brigadier Rajinder Singh on receiving a message for help from Camp Domel set out for Srinagar with two platoons and a mortar detachment. They were heavily outnumbered by the enemy who engaged them at Garhi. The Brigadier fell back and re-organized his forces. In a fierce confrontation that followed the Brigadier was struck on his right arm by a burst of machine gun fire. Realizing that his evacuation would hold up and even jeopardize his men's safety he ordered them to proceed without him.

The Brigadier's body was never recovered as he probably fell into enemy hands. But his act of sacrifice inspired his men to hold up the enemy advance for three days, thereby ensuring the safety of the entire valley.

The great hero was deprived PVC, which shows the bias against the Dogras.

To remember Maharaja Hari Singh on the Day of Accession 27th October which is the day of Martyrdom of Brig Rajinder Singh who saved Kashmir for India on this Day by

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sacrificing his life on the Uri front on the night of 26/ 27th October, 1947. The aggression-plot was hatched by the British as the Chief of Pakistan Army was General Gracy and the overall Commander-in-Chief of both the Dominions of India and Pakistan was General Auchinleck under the command of Lord Mountbatten. No operations could be launched against another country without the knowledge of the Commander-in-Chief. When he had exhausted all his resources he decided to be himself the last man with the last bullet in his hands as commanded by his Ruler, Maharaja Hari Singh dated October 23, 1947 when he was sent to Uri. **"Brigadier Rajinder Singh is commanded to hold the enemy at Uri at all costs and to the last man, Reinforcement is sent with Capt. Jawala Singh. If Brigadier Rajinder Singh is not contacted, Capt. Jawala Singh is commanded to hold the enemy at all costs and to the last man. He will do his best to contact Brigadier Rajinder Singh.**

In letter and spirit, he sacrificed his life to save his motherland. He was awarded a gallantry award of Independent India only, Mahavir Chakra not PVC which he deserved most.

Brigadier Rajinder Singh was born on June 14, 1899 in a small village of Bagoona (since renamed Rajinderpura after him) 35 kms. East of Jammu in the family of Dalpatia Clan of Jamwals. The history of bravery and sacrifice ran in the family, his illustrious ancestor General Baj Singh having sacrificed himself almost a century earlier in the defence of Chitral. His grandfather was a war veteran with seven battle scars on his body. His father Subedar Lakha Singh, whom Rajinder lost at an early age of six months, was a Junior Officer in the State Forces. Lt. Col. Govind Singh, an affectionate uncle brought him up. He was educated in Jammu and graduated from the Prince of Wales College now Govt. Gandhi Memorial Science College, in 1921. During his student days he was remembered as being unassuming, obedient and student who did well in his studies.

Denial of PVC was a great blunder of Nehru which shall not be forgotten by the Dogras.

Source: Jammu and Kashmir little known facts 1947-Pakistan Invasion

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JAMMU AND KASHMIR LITTLE KNOWN FACTS 1947 – PAKISTAN INVASION

(22nd October, 1947 Muzaffarabad Attacked)

By:- Y.R. GUPTA

The main invasion was planned and launched by the Army Hqrs of Pakistan and was called "Operation Gulmarg". It was to begin from Muzaffarabad on 22nd October, as stated by Major Onkar Singh Kalkat who could know about this plan while in Pakistan from the letter written by the highest Army authority of Pakistan British C-in-C on arrival in India. This fact was brought to the notice of Brig. Kulwant Singh and other concerned Army officers and also Sardar Baldev Singh, the Defence Minister, by him. The plan of invasion was also confirmed by Sh. D.K.Reddy, a Journalist. The Govt. of India however did not take the matter seriously even when day to day infiltration had already been reported to them by the Govt. of Jammu & Kashmir right from 3rd Sept.1947.

The Jammu & Kashmir Govt. had no knowledge of this planned massive invasion from Abbatabad side. The stoppage of supplies "Economic Blockade" had already created a very serious situation in the state.

The State Govt. tried to persuade Pakistan through the diplomatic channels to honor its commitments under the "standstill agreement". Failing to get a positive response to its numerous communications the Prime Minister of Kashmir sent a rather strongly worded telegram to the Governor General of Pakistan, Mr.Jennah on Oct.18, 1947, which read "Finally the

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Kashmir Govt. wish to make it plain that it is not possible to tolerate the attitude longer without grave consequences to life and property of the people which it is bound to defend at all costs. The Govt. even now hope that you would personally look into the matter and put a stop to all the iniquities which are being perpetrated. If unfortunately this request is not heeded the Govt. fully hopes that you would agree that it would be justified in asking for friendly assistance and oppose trespass on its fundamental rights".

A cable was also sent on the same day to the Prime Minister of U.K. apprising him of the situation created by the influx of Armed Pakistanis into the state and stoppage of all supplies and requested that the dominion of Pakistan may be advised to deal fairly with Jammu & Kashmir.

The Governor General of Pakistan took no notice of the allegations made by Kashmir Govt. and instead made counter charges of repression by Dogra forces.

While this exchange of telegrams was going on, preparations were afoot at Abbattabad for a large scale invasion of Kashmir. A large number of soldiers and officers of the Pakistan Army including those on leave were deputed to organize and assist about 5000 tribal's that had been assembled there in the name of "Jehad". The invasion was to be lead by Maj Gen Akbar Khan of the Pakistan Army who was given the name of "Gen Tariq".

These hordes that entered the State along the Abbattabad – Muzaffarabad – Domel – Srinagar road on Oct.22, 1947 formed the spearhead of the final and the biggest blow by Pakistan against the State. Its object was Kashmir Valley and the capital city Srinagar.

And also almost simultaneously new thrusts were made all along the borders of the State – Pakistan including Gilgit but

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this master plan to occupy Srinagar failed by the timely arrival of air borne Indian Troops in Srinagar.

The Armed forces of the State which had to defend about 600 miles long frontier with Pakistan and to also meet the threat of internal uprising were quite inadequate to meet the situation. These had been spread all along the frontier at the time of invasion. The mixed 4th Bn was Incharge of the Muzaffarabad - Kohala Sector. The State troops were efficient and brave, but were ill equipped. The loyalty of the Muslim personnel of the Armed forces was doubtful as the state authorities had received information about their plans of sabotage and desecration in collaboration with Pakistan Army. Col. Narain Singh who commanded the 4th Bn Incharge of the Muzaffarbad Kohala Sector was warned to remain alert and careful about the Muslim personnel but he expressed his full faith in them. But subsequently he had to pay a heavy price.

In view of these circumstances the rapid advance of Pakistan hordes after they had once broken through the outer defenses should cause no surprise. Their main column entered the State at the dead of night on 22nd Oct. 1947. The Muslim personnel of the state pickets not only joined hands with them but killed their Hindu companions in their own tents and began to lead the convoy of motor vehicles supplied by the Pakistan Govt. for carrying the invaders. After occupying the strategic Krishan Ganga Bridge without much difficulty entered the town of Muzaffarabad without firing a shot. Here thousands of men, women and children were mercilessly killed, women raped and abducted. The town was set on fire and simultaneously looting started. A few of them(raiders) crossed over to Domel. The Muslim pickets joined with them and Col.Narain Singh was shot dead by his own Muslim sentinel in his own tent itself. The occupation of Domel brought both the roads leading to Srinagar from Rawalpindi and Abbatabad came under the control of the invaders. The road to Srinagar now lay open. The raiders occupied Garhi the same day and started their advance towards

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Uri. The few Dogra troops resisted them at every step. Brig. Rajinder Singh the Chief of Staff of the State Army then came forward to command the troops in person. He stemmed the tide of the enemy advance near Uri for two days. He fought the enemy to the bitter end. He along with his 150 soldiers were cut into pieces in this action. On the same day the Mohaara Power House was also damaged and so put out of order (24th Oct.). This plunged Srinagar into darkness. On the 24th afternoon Maharaja Hari Singh who was holding Dussehra Darbar sent an urgent appeal for help to the Govt. of India. He in his letter stated:
"I have to inform Your Excellency that a grave emergency has arisen in my State and request immediate assistance of your Government.

As Your Excellency is aware, the State of Jammu and Kashmir has not acceded to either the Dominion of India or to Pakistan. Geographically my State is contiguous to both the Dominions. It has vital economic and cultural links with both of them. Besides my state has a common boundary with the Soviet Republic and China. In their external relations the Dominions of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which Dominion I should accede, whether it is not in the best interest of both the Dominions and my State to stand independent, of course with friendly and cordial relations with both.

I accordingly approached the Dominions of India and Pakistan to enter into a Standstill Agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the Standstill Agreement are operating Post and Telegraph system inside the State.

Though we have got a Standstill Agreement with the

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Pakistan Government, that Government permitted steady and increasing strangulation of supplies like food, salt and petrol to my State.

Afridis, soldiers in plain clothes, and desperadoes, with modern weapons, have been allowed to infilter into the State at first in Punch area, then in Sialkot and finally en masse in the area adjoining Hazara district on the Ramkote side. The result has been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously and it has become difficult to stop the wanton destruction of life and property and looting. The Mahoora Power House which supplies the electric current to the whole of Srinagar has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer capital of my Government, as a first step to over running the whole State.

The mass infiltration of tribesmen drawn from the distant areas of the NWF Province coming regularly in motor trucks using Maneshra-Muzaffarabad road and fully armed with upto date weapons cannot possibly be done without the knowledge of the Provincial Government of the NWF Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or stop them from coming to my State. In fact both the Pakistan Radio and Press have reported these occurrences. The Pakistan Radio even put out a story that a Provisional Government has been set up in Kashmir. The people of my state, both the Muslims and non-Muslims, generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists I have no option but to ask for help from the Indian Dominion. Naturally, they cannot send the help asked for by me without my State acceding

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to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and my people to freebooters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen so long as I am the Ruler of the State and I have life to defend my country.

I may also inform Your Excellency's Government that it is my intention at once to set up an Interim Government and ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State has to be saved immediate assistance must be available at Srinagar..."

The Sheikh had already sent his family to Indore for safety and himself slipped away to Delhi.

Before taking any action on the Maharaja's request for help the Govt. of India decided to send Mr.V.P.Menon to Srinagar to get first hand information. He flew to Srinagar on the 25th October. He soon realized the desperateness of the situation. Menon therefore advised the Maharaja to leave immediately for Jammu to be out of reach of the Pakistani invaders.

The Maharaja left Srinagar for Jammu that very night (25.10.1947) and Menon and the Kashmir Premier Mr.Mahajan flew to Delhi early next morning.(26.10.1947).

On receiving the report from Menon the Govt. of India felt inclined to go to the rescue of the state. But it was not possible before the accession of the State takes place. Hence Menon flew back to Jammu immediately with the Instrument of Accession. On reaching Jammu he contacted the Maharaja who was in sleep at that time after a long journey, who at once signed the Instrument of Accession. Menon flew back to Delhi along with the legal documents.

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THE ACCESSION AT LAST

The Pakistan inspired armed revolt in a small part of Poonch along the Pakistan border was quelled with the stationing of some troops in the area and, it was all quiet in the Valley except for hectic political activity in connection with the accession. With the Indian Government's insistence on bringing in Sheikh Abdullah and the latter's insistence on "freedom first and accession afterwards" 15 August passed without any decision on accession and with it sovereignty reverted to the Ruler. Even the British officers in the service of the State presented their swords to the Maharaja for the first time at a Durbar, and it looked for sometime that for the State to remain Independent was perhaps in the best interest of both the Dominions and the State, under the existing circumstances.

Sheikh Abdullah was released on the active intervention of Pt. Nehru and his Government on Sept. 28, but only after he pledged loyalty to the Maharaja and his family.

In the first speech he made after his release he, however, reiterated "our first demand is complete transfer of power to the people in Kashmir. Representatives of the people in democratic Kashmir, will then decide whether the State should join India or Pakistan."

Prime Minister Kak was replaced by Maj. Gen. Janaksingh in August 1947, as an interim measure, and Justice

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Meherchand Mahajan Chief Justice of the Punjab High court, was appointed Prime Minister in October 1947.

Taking these events as an indication of Maharaja's inclination towards India. Pakistan accelerated its anti-State activities and even concentrated armed Pakistanis, tribemen and others all along her long border with the State. Noticing this trend Maj.Gen.Scott Chief of the Staff of the State Forces and Mr. Powell the Inspector General of Police, who had their contacts with some British officers in Pakistan and even received code messages from them resigned and left the State via Murree Pakistan.

On October 10, 1947, the Maharaja called the author, who, had retired service, to the Gulab Mahal Palace, and after explaining that he was sensing an invasion from Pakistan, and was, therefore, in need of War experienced officers, asked him to rejoin service to which the author agreed. His Highness expressed the necessity of re-raising the Mountain Batteries and asked the author to put up a Scheme, which the author did the next day. The author was then to Delhi with a letter to Sardar Patel and a list of guns, connected stores and some material for destroying Kohala Bridge, in case of need. The Sardar tried his best, but was unable to arrange anything under the set up then existing, with a British Commander- in-Chief and a Supreme Commander still there. That the State had not acceded to India, seemed to be the excuse. The author explained that his Highness wanted no delay in accession, and desired that it should be brought about immediately, but the Sardar said "No No,

Not yet". The author, however, told him that the State Forces were a ready very highly committed and they would not be able to hold the invasion if it came. The author returned with the assurance that the guns and connected stores would follow. The Maharaja visited the 4th J & K Infantry at Kohala where he asked its Commanding Offcer Lt. Col. Narainsingh if he was

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satisfied with the loyalty of Mohammadans, who formed fifty percent of the Unit and the Commanding Offcer, replied in the affirmative.

The State Forces were based on Rawalpindi arsenal for their supplies of Arms and Ammunition, which Pakistan had already stopped, and India was not in a position to help. With 8 Infantry Battalions of the State Forces, scattered all along the border from Ladakh to Kathua, (now held by a much bigger force) and with no means of even reconnoitring the border where huge enemy concentration was taking place, there was nothing that the State could do except to wait and see.

The invasion came with the dawn of Oct. 22, almost all along the border. At Skurdu, Mirpur and Poonch the State troops gave a good account of themselves and did not allow the attackers to make any headway for months. At Kohala, however, where the attack came from the flank held by the two Muslim Companies of the battalion who betrayed the unit and crossed over to the other side With their Arms, the enemy had a complete walk over. The two Hindu companies were cut off sand soon the Battalion Headquarters was wiped out. Muzaffarabad was ransacked, looted and burnt, women regardless of community were abducted and raped. There were no troops available at Srinagar, except a squadron of mounted cavalry. A company was pulled from somewhere and rushed to intercept the raiders as much beyond Baramulla as possible. They found the raiders approaching Garhi. Their Commander Captain Prithisingh was accidently wounded and was brought back to the Cantonment Military Hospital.

The Maharaja sent his Chief of the Military Staff, Brigadier Rajindersingh, to get first hand information about the situation. He found the company position at Garhi with enemy in overwhelming numbers approaching from all directions. As the company was without an officer, he decided to stay on and

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sent the situation report to the Palace through a Motor Cycle despatch rider, describing withdrawal from Garhi inevitable. But the Maharaja commanded him not to withdraw under any circumstances and to fight there to the last man and last round. It was Maharaja's this Command and its unflinching obedience by Brigadier Rajindersingh that saved Kashmir. These gallant men put up a heroic fight for three days. Brigadier Rajindersingh himself was killed and almost all others were either killed or wounded badly. The way was now clear for the raiders advance to Baramulla. They burnt the Mahura Power House, and repeated the atrocities of Muzaffarabad at Baramulla. Out of the population of about 15,000 about 5000 survived. Even the Saint Joseph's Convent Church and Hospital were not spared. Nurses and patients were brutally killed.

That, Pakistan called, the invaders tribesman and denied her own involvement in the invasion has no more value than the state- ment of an accused. The raiders were armed Pakistanis, very well trained and organised, commanded by officers of the Pak army including their Chief Commander General Akbar khan (known also as General Tariq), who later became the Chief of the Pakistan Army. They were maintained and transported at the cost of Pakistan. Even papers like London Times by no means Pro-Indian had to accept Pakistan's involvement in aiding the raiders, although Margarret Parton of New York Herald, who followed Liaqat Alikhan, Prime Minister of Pakistan, along the entire 600 miles border with the State, saw np raiders bases and no Pakistan soldiers slipping to the Kashmir Front. Only hair splitting and political bungling could absolve Pakistan of the responsibility. At least India, could not fail to take notice of this sort of invasion not only with the connivance of but also support from the Pakistan Government, Pakistan had, however, declared that she had done everything short of war to prevent the raiders from invading the State, but she had not succeeded in doing so. If India, therefore, did something to stop them Pakistan should have thanked India, but it was not so.

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The Maharaja sent his letter of accession to Lord Mountbatten through his Deputy Prime Minister late Mr. Ram Lal Batra on the 23rd of October along with personal letters to Pt. Nehru and Sardar Patel. A meeting of the Indian Defence Committee was held in Delhi on Oct. 25, under the chairmanship of India's Governor General Lord Mountbatten to consider the situation created by the invasion of the State. In spite of he now being the Governor General of Free India and not the Viceroy of undivided India, Mountbatten opposed the Indian Government's idea of moving their troops into the State. But finding them determined to do so, he tried to prevent it by bringing in the legal technicalities of Accession, and also insisted on the "Will of the People" being ascertained as if Pakistan which had already invaded the State was exempt from it. V.P. Menon, Secretary to the Government, Ministry of States then flew to Srinagar to discuss the situation with the Maharaja. He also advised him strongly to move down to Jammu to be easily available to the Government of India for negotiations if the situation so demanded. On Mr. Menon's return to Delhi on the 26th accompanied by Mr. Mehrchand Mahajan, the Accession requested by the Maharaja and separately supported by Sheikh Abdullah was accepted.

The Maharaja and the State Government offices usually moved back to Jammu, the Winter Capital of the State, after Dussehra every year. But owing to the situation created by the invasion the Maharaja had decided not to move for the time being. On the strong "device of V.P. Menon, he, however, left for Jammu, late in the evening on Oct 25. The Dussehra Durbar, was held as usual on the 24th of October. Though much has been made of his this move to his Winter Capital, by his political opponents both in India and Pakistan yet this was the only correct thing for him to do. Firstly, if the raiders had succeeded in reaching Srinagar, where there because were no troops at all they could have forced him to sign the instrument of Accession with Pakistan, and secondly being in Srinagar, he had become

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inaccessible to the Government of the country, to which he had acceded. Even when the Instrument of Accession was once brought back from Delhi by Mehrchand Mahajan for some crossing of t's and dotting of i's at the instance of Mount- batten who probably wanted to delay it for a few days at least. Mahajan would have been unable to have the needful done in time, if the Maharaja had not by then moved down to Jammu as no planes flew to Srinagar that day on account of bad weather.

The question of the Maharaja having fled to Jammu did not arise at all. If he did not leave Srinagar for safety during the crucial days before Accession, now when as a result of Accession Defence of the State had become the Centre's responsibility and the Indian troops were likely to arrive any moment his fleeing to Jammu for safety made no sense. Even if he had done so he would have only done the right thing. Have no other heads of States, even without invasion from outside, left their countries altogether only to be welcomed on their return later ? Only a few years back the King of Nepal had to leave his country in unfavourable circumstances and he was reinstated with Nehru's assistance. The present Shahanshah of Iran flew out of his country for safety during an uprising against him not very long ago but soon returned to his country with flying colours. Chiang Kai Shek is sitting comfortably in Taipeh, after fleeing his country and is still being recognised as head of the Chinese people. He was until recently counted among the Big Five with a power of veto, in the Security Council.

Apart from all this, although the main Pakistan thrust had come in Kashmir, Pakistan had not neglected the Jammu borders, their troops as well as civilians were raiding towns and villages well inside the State borders, in Poonch, Mirpur, Kotli, Rajouri, Naoshera, Bhimber, Deva Batala etc. Jammu was not, therefore, altogether free from problems requiring the Maharaja's immediate attention. Thousands of helpless refugees poured into Jammu from all these places who were in need Of

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good looking after. The Maharaja apart from keeping in touch with the military situation which by then was in the hands of the Indian Army, toured the borders and spent most of his time in the Refugee Camps, distributing blankets, mats, cloth and rations and looking after other arrangements.

In any case moving to his Winter Capital just a day earlier than usual at a time when safety of Srinagar was better assured and Jammu itself was not free from problems requiring the Maharaja's attention; with or even without the strong advice of Mr. Menon, was not only not objectionable but was the only right thing for the Maharaja to do under the circumstances. To do otherwise would have been a blunder. Even Sheikh Abdullah the then "Sher-e- Kashmir" (Lion of Kashmir), who made political capital out of Maharaja's move to Jammu had already quietly fled to Indore with his family, of course on the pretext of meeting his brother-in-law.

The final letter of the Maharaja dated 26th Oct. 1947 offering accession which gives an insight to the situation then existing is reproduced below :

"My dear Lord Mountbatten,

I have to inform your Excellency that a grave Emergency has arisen in my State and request the immediate assistance of your Government. As your Excellency is aware, the State of Jammu and Kashmir has not acceded to either the Dominion of India or Pakistan. Geographically my State is contiguous with both of them. Besides, my State has a common boundary with the Union of Soviet Socialist Republic and with China. In their external relations the Dominions of India and Pakistan cannot ignore this fact. I wanted to take time to decide to which Dominion, I should accede or whether it is not in the best interest of both the Dominions and of my State to stand Independent; of course, with friendly and cordial relations with both. I

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accordingly approached the Dominions of India and Pakistan to enter into a standstill agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact, the Pakistan Government under the standstill agreement is operating the Post and Telegraph system inside the State. Though we have got a standstill agreement with the Pakistan Government, that Government permitted a steady and increasing strangulation of supplies like food, Salt and Petrol to my State.

"Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to infiltrate into the State, first in the Poonch area, then from Sialkot and finally in a mass in the area adjoining the Hazara District on Ramkot side, The result has been that the limited number of troaps at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and the looting of the Mahura Power House, which supplies electric current to the whole of Srinagar and which has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the Summer Capital of my Government, as a first step to overcoming the whole State. The mass infiltration of tribesmen drawn from distant areas of the North West Frontier Province, coming regularly in motor trucks using the Mansehra Muzaffarabad road and fully armed with up-to-date weapons cannot possibly be done without the knowledge of the provincial Government of the N. W.F. Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or to stop them from coming into my State. In fact both the Radio and the Press of Pakistan have reported these occurrences. The Pakistan Radio even put out the story that a

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provisional Government has been set up in Kashmir. The people of my State both Muslim and Non-muslims generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and the people to free booters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen so long as I am the ruler of the State and I have life to defend my country.

I may also inform Your Excellency's Government that it is my intention at once to set up an interim Government and to ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State is to be saved, immediate assistance must be available at Srinagar. Mr. V.P. Menon is fully aware of the gravity of the situation and will explain it to you, if further explanation is needed.

In haste and with kindest regards,

Yours Sincerely,
Sd/-HARISINGH,

On Oct 27. Lord Mountbatten replied as follows :-

My dear Maharaja sahib,

Your Highness' letter dated 26th Oct has been delivered to me by Mr. V.P. Menon. In the special circumstances mentioned by your Highness, my Government have decided to accept the Accession of Kashmir State to the Dominion of India. In consistence with their policy that in the case of any State

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where the issue of Accession has been subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish, that, as soon as law and order has been restored in Kashmir and its soil cleared of the invader, the question of the State's Accession should be settled by a reference to the people.

"Meanwhile in response to Your Highness' appeal for Military aid, action has been taken today to send troops of the Indian Army to Kashmir, to help your own forces to defend your territory and to protect the lives, property and honour of your people. My Government and I note with satisfaction that Your Highness has decided to invite Sheikh Abdullah to form an interim Government to work with your Prime Minister".

Sd/-MOUNTBATTEN
OF BURMA".

This is how at last the accession of the State to the Dominion of India took place. The actual Instrument of Accession, the only relevant document legalising the accession signed both by His Highness and Lord Mountbatten was exactly similar to those signed by other States and contained no conditions whatsoever. The condition of reference to the people when law and order have been restored in Kashmir and its soil cleared of the invaders although against I he letter and spirit of the Indian Independence Act and therefore constitutionally invalid was not, however, unacceptable to the Maharaja or the Government of India, as the accession had already been supported by Sheikh Abdullah who was then the unquestioned leader of the people of the Kashmir Valley.

On the morning of Oct 27, 1947, the first batch of troops from the Indian Army, about two companies of the 1st Battalion the Sikh Regiment, flew into Srinagar and were immediately despatched towards .Baramulla in the waiting buses. They joined the last batchof the State Forces under Captain

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Jawalasingh at Pattan 22 Miles from Srinagar. The heroic part played by the Indian Army first in defending and then in liberating the Valley is known all over the World. In spite of severe handicaps, resulting from the sudden replacement of British officers by Indians, quick promotions of junior Indian commissioned officers to high ranks, and lack of co-operation on the part of British officers who were surprisingly enough still holding key positions in the Army, the Indian Army acquitted itself extremely well. On the Pakistan side, notwithstanding their denials, the whole thing was not only planned but executed by the British officers. That the acting Commander-in-chief of Pakistan, General Gracey refused to carry out the orders of the Governor General Mr. Jinnah to despatch Pakistan troops to Kashmir at mid-night October 27, 1947 as maintained by Pakistan, and endorsed by her Western Allies, was meant to be an excellent hoax. How else could the wise General comply with his Governor General's belated orders when he had already done what Mr. Jinnah wanted him to do on the 27th of October? The involvement of the Pakistan Army in the Jammu and Kashmir operations from the beginning of invasion of the State by Pakistan had been proved by the Government of India beyond any shadow of doubt, to the Security Council, by producing before them unquestionable evidence in the form of Captured Pakistan Arms and Regular Army men. Pakistan herself and her acting Commander-in-Chief confessed their guilt before the United Nations Commission but not without making another attempt to befool them and the World by stating that it was only a little before the U.N. Commission visited the spot, and found it there, that the Pakistan Army was sent into Kashmir. One, however, cannot help admiring the capacity of General Gracey for his loyalty to the cause of Pakistan, in having denied the involvement of the Pakistan Army from the very beginning of the invasion.

A Casual Observer, may find a few flaws in the performance of the Indian Army during the operations in

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Jammu and Kashmir but taking all the pros and cons into consideration particularly the difficulty of terrain and the length of the lines of communications, it can be said without fear of contradiction that the performance of the post-partition Indian Army in Jammu and Kashmir on the whole, was in no way inferior to its performance during the World War 11 in the Middle East and other theatres of war, when it was considered to be at the peak of its efficiency. The Indian Army can, therefore, well be proud of its performance in Jammu and Kashmir in 1947-49. They had almost put the enemy to fight on all fronts when the Ceasefire was enforced apparently at the request of India's British Commander-in-Chief General Bucher through his Top Secret telegram 220835/M03 dated 30 December 1948.

The performance of the Indian army and the Indian Air Force in Jammu and Kashmir as well as on all other fronts during the Short indo-Pak War of 1965 and 1971 although not free from usual shortcomings, which must be made up for future, was really superb. It made the need for asking Pakistan for a No-war Pact in fructuous. As she will not commit the folly of going to War with India again even without a no-war declaration.

By signing the Instrument of Accession the Maharaja practically signed his death warrant, but he did not mind anything, in the larger interest of the country. Although he had only offered "to ask Sheikh Abdullah to carry the responsibilities in the emergency with my Prime Minister", and this was "noted with satisfaction" by Lord Mountbatten and his Government, Pt. Nehru, who has not been a good judge of men, at least as far as Sheikh Abdullah and the Maharaja were concerned, (as later events also proved), started playing into the hands of Sheikh Abdullah, who had then been appointed by the Maharaja as "Head of the Administration with Mr Mehrchand Mahajan as Prime Minister."

Soon Sheikh Abdullah, acquired for himself the status of

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an Independent ruler, he consulted neither the Prime Minister nor the Maharaja, even in matters not within his competence, and undertook to overhaul the entire administration, haphazardly discharging, dismissing, retiring and transferring high and low Government officials and replacing them by his favourites from the National Conference, whether qualified or not. So much so that newspaper Agents were appointed top Administrators, and persons from Co-operative Societies appointed as Deputy Commissioners.

In the pre-independence days even the Maharaja (supposed to be an Independent ruler by virtue of treaties), was responsible at least to the Political Department if not to his people, but now Sheikh Abdullah was responsible neither to the Maharaja nor to any elected Legislative Body. The Political Department did not exist, and the Government of India was already at his back.

When the Maharaja complained of Sheikh Abdullah's highhandedness to the Government of India, some Ex-rulers of States already acceded to India like Maharaja of Jaipur, Faridkot and Patiala, were sent to him one after the other to advise patience. He asked Maharaja of Patiala to bring him answers to some of his points from Pt. Nehru and Sardar Patel. The author who was then on the Maharaja's staff accompanies & the Maharaja of Patiala, to Delhi to bring back the replies. He did not know the points, but their replies were dictated to him by the Maharaja of Patiala. One reply from Sardar Patel was that "if there is trouble over Mahajan, let him go". Sheikh Abdullah had even publically threatened to arrest Mahajan, so he had to go. Pt. Nehru wrote to the Maharaja in his own hand promising what was known as, 'Mysore Model', for the State, which meant that there would be a nominated Diwan to act as a link between the elected Prime Minister and the Maharaja, but hardly had the ink dried on this letter when another one came, again in his own hand, obviously at the instance of Sheikh Abdullah, saying, that

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the time was fast changing and it was not possible for him to stick to his own commitments made earlier and that 'Mysore Model' could not be applied to the State.

Sheikh Abdullah was then invited to form a Government which he did. He and the other members of his Cabinet presented Gold Sovereigns to the Maharaja as a token of their loyalty to him, as was the custom.

For the people of Jammu their new Prime Minister was an absolute stranger. They had seen him for the first time after he was imposed on them from above, as their leader. They had known him as a communal leader of the Valley and had looked upon him with suspicion. On account of his communal and regional approach to all problems he settled even after coming into power, he failed to win the confidence of the people of Jammu. The most popular figure in Jammu Was the Maharaja and all the efforts of the State's Publicity Department and all the money of secret funds could do nothing to change this position. In his presence there was no chance for Sheikh Abdullah to gain a foothold in Jammu. The Maharaja's removal was the only answer. All the Sheikh had to do was to suggest this to Nehru, who was already nursing a grievance against the Maharaja for having arrested him in the old days. The British Government had often arrested him too, but they were too powerful still to be reminded about it. The Maharaja Was now supposed to be a small fry in the mighty hands of Nehru. Nehru's ego felt like showing what he could do to the particularly, to the Maharaja of Jammu and Kashmir. He wanted to please Sheikh Abdullah, who was insisting on the Maharaja's removal, on the fabricated pretext that he was responsible for the massacre of Muslims in Jammu. Even if for arguments sake, this was taken as true, Sheikh Abdullah who himself was not free from such responsibility for the massacre of Hindus, during 1931 in Maharaja, Vicharnag and other places in the State, was not the right person to exploit it.

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The Maharaja was invited to Delhi in 1949 and was not allowed to return to the State. He had to issue a statement that he was not returning on grounds of health. He appointed his son Yuvaraj Karansingh as Regent and went into what was called voluntary exile, at Bombay. His Privy Purse was reduced from Rs 15 to Rs 10 lakhs annually.

It was suggested to him that if he could once go to Delhi and meet Pt. Nehru his case was sure to be favourably considered, but he was the Rana Pratap of his time. Not only he did not visit Delhi, but he did not meet Pandit Nehru, the whole of his life; not even when Pt. Nehru, visited Bombay and stayed in a house next to his. Nor did he see anybody else for that matter. He however submitted a printed Memorandum consisting of about 90 pages to President Rajendra Prasad the receipt whereof was acknowledged by Pandit Nehru, and which has not since seen the light of the day. In that, he had not asked for anything for himself but had only exposed Sheikh Abdullah and Pandit Nehru.

Sheikh Abdullah was allowed the pleasure of convening a Constituent Assembly for the State with the three fold object of :

(a) ratifying the Accession of the State to India already made by the Maharaja as a substitute for the promised plebiscite which had been made impossible by Pakistan by her refusal to withdraw her forces from the State,
(b) to decide about the future of the monarchy in the State,
(c) to frame a Constitution for the State.

As regards, the Sheikh was free to obtain the wishes of the people in the best way possible under the circumstances, and as regards it was just a matter of laying down what internal freedom was to be enjoyed by Sheikh Abdullah, which, of course was to be finally settled between him and the Government of India. However, the so called Constituent Assembly which derived its own powers from the Regent, who himself was

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subject to replacement by the Maharaja was obviously not competent to decide about the future of the Maharaja. Although a show of abolition of monarchy was made by the State Constituent Assembly, the Maharaja was finally approached by the centre and requested to abdicate in the larger interests of the country to which he obviously agreed. His son Yuvaraj Karansingh was elected as the Sadar-i-Riyasat.

Thus he was a great genius and a patriot who made Kashmir a part of India in spite of great perverse pressure and who could have proved extremely useful to the Independent India in more than one fields, wasted, and Sheikh Abdullah who later on proved to be extremely untrustworthy and even refused to recognise the fact of accession ratified by the Constituent Assembly with his full support, was unduly exalted, to the great detriment of the country. The Maharaja had judged Sheikh Abdullah thoroughly well and had always kept him at arms length, but Pandit Nehru gave him a fresh trial and thank God, he too had to do the same in the end.

Ref: from the book political Conspiracies of Kashmir by Lt. Col. Bhagwan Singh

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28

ACCESSION OF KASHMIR

Sangh's Efforts

The Sangh had tried from the very beginning for the accession of Jammu-Kashmir to India, and that too as early possible. At first it exposed Kak, Prime Minister of the State, who was instigating the Maharaja to dream of an independent Kashmir. It held meetings and demonstrations at various places, organised delegations to the Maharaja, and placed before him solid evidence of Kak's treachery. It got him dismissed and then made multi-dimensional efforts to persuade the Maharaja for accession. It launched a mass awakening campaign and then carried out a signature campaign in the Jammu region in support of accession. Under the leadership of Jammu Sangchalak Pt. Prem Nath Dogra the signed memorandum was submitted to the Maharaja and he was urged to accede to India without harbouring any doubts in his mind, as the good of the state and his own good lay in his doing so.

Rai Bahadur Badridas was Punjab Prant Sanghchalak. He was a well-known lawyer and had special influence on the Maharaja. In important legal matters he represented the Maharaja in court. He came down to Srinagar in September to see the Maharaja and forcefully urged him to accede.

A leading Dewan of the Maharaja was the father-in-law of UP. Sanghchalak Barr. Narendrajit Singh. In this way he too was close to the Maharaja and he too tried to influence him. All these efforts were made at the instance of Sarsanghchalak Shri Guruji, because the Sangh and every pro-Indian section of the

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Society felt that in all circumstances the State of Jammu-

Kashmir should remain with India. so all such elements were making these efforts. Senior workers like Balraj Madhok, who had close contacts with the Maharaja, were constantly trying to dispel the doubts in his mind. They acquainted him with the dangerous intentions of Pakistan, and even kept him informed about Pakistan's invasion plan and of the conspiracy of Muslim officers and men of the State's army to desert and go over to the Pakistani side at the time of the invasion. Not that the Maharaja did not want to accede to India. But the grim picture of the calamities that would befall the State in the event of accession to India, pointed by Prime Minister Kak and even India's Governor General Mountbatten had put him off. And secondly, he was greatly suspicious of Indian leaders, especially Pt. Nehru, He did not like Sheikh Abdullah, but Nehn; was willing to accept accession only on condition that the Sheikh was put in power. The Maharaja had prevented Nehru's entry in the State when the latter wanted to visit for supporting Abdullah. What had happened was that on May 10, 1946 the National Conference led by Sheikh Abdullah had launched an anti- Maharaja 'Quit Kashmir' agitation on the lines of the Quit India movement. On May 20, the Sheikh and many of his associates were arrested. Vexed by this Nehru wrote to the Maharaja demanding Sheikh's immediate release. Not contented with this, he prepared to go to Kashmir to show his solidarity with the Sheikh. Actually senior Congress leaders had advised him not to do so, but he rejected the advice. The Maharaja also told Nehru that Abdullah's agitation was at the British Government's instance and was against India's interest. But Nehru did not listen. Consumed by friendship for Abdullah, he remained adamant. The Maharaja barred his entry and when Nehru went despite the bar he was arrested. So Nehru wanted to teach the Maharaja a lesson. Thus many personal egos stood in the way of Kashmir's merger with India.

Accepting the arguments of the Sangh and other pro-India sections the Maharaja sent his own proposal for merger. For this purpose he sent Harnam Singh as his envoy to Delhi, but

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the mission failed because of Nehru's antagonism. The Maharaja made the final effort during Oct. 10-13, 1947. Harnam Singh was again sent to Delhi, but again he failed.

Finally, it was decided that Shri Guruji should go to Srinagar and meet the Maharaja to persuade him. Accordingly he reached Srinagar by plane on October 17. 1947. He was put up to stay with Barr. Narendrajit Singh's in-laws. He too had accompanied Guruji. In addition Delhi Prant Pracharak Vasantrao Oke was with him and Punjab Prant Pracharak Madhavrao Muley was there. Pracharak Harish Bhanot was entrusted the responsibility of Shri Guruji's security. Bhanot said, on September 26, he was in Jalandhar, where he was informed that Guruji was to travel to Srinagar, so he reached there in the first week of October. Jammu-Kashmir Vibhag Pracharak Jagdish Abrol was also sent a wire and called.

The next day, that is, on October 18, Shri Guruji arrived at Karna Mahal, the Maharaja's residence, by car. Both the Maharaja and Maharani had great respect for Guruji. The Maharaja had great faith in the Sangh and he was confident that in times of danger Swayamsevaks of the Sangh would help protect the State. So Maharaja Hari Singh and Maharani Tara were personally present at the gate to receive Guruji. As soon as the Maharaja bent to touch Guruji's feet Guruji held his hand.

Talks commenced around ten-thirty. No other Sangh office-bearer was present.

No proper account of what transpired is available, as Guruji did not tell anybody anything in detail. However that they were hopeful was proved by the fact that while seeing Shri Guruji off, the Maharaja said he would certainly consider his suggestion. He gave Guruji two expensive Kashmiri shawls as parting gifts. While leaving Shri Guruji said to the Maharaja, 'Send the Yuvraj to Jammu, but you should yourself stay on in Srinagar, so that the people's morale would not sag. Swayamsevaks here would make security arrangements for

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you.'

While returning the next day, October 19, Guruji asked prominent Sangh office-bearers to keep in constant touch with the Maharaja and keep assuring him of the Sangh's full co-operation, so that he may not feel alone and depressed. He said 'the talks were cordial. I see a ray of hope, but nothing definite can be said yet.' The same day an assembly of prominent Swayamsevaks was held on the DAV College ground. Five hundred Swayamsevaks and leading citizens were present. Shri Guruji gave a discourse but did not say anything about his meeting with the Maharaja. The same day he left. Sardar Patel knew that Shri Guruji had considerable influence on the Maharaja, and the latter had respect for Guruji and the Sangh. He cooperated with Guruji on this visit. Shri Guruji also acquainted the Sardar with the Maharaja's positive attitude. Fortunately, by this time Shri Mehar Chand Mahajan had assumed charge as Prime Minister of Jammu-Kashmir. He too was a forceful advocate of Kashmir's merger with India and had great respect for Guruji. He was well aware of what Swayamsevaks had done in Punjab to protect the Society. He too cooperated. He kept telling the Maharaja that Shri Guruji had given the right advice.

Because of this meeting and also other factors the Maharaja finally decided to accede and the instrument of accession wins signed on Oct. 20. So it can be said without hesitation that Sangh Swayamsevaks, and especially Shri Guruji, played a prominent role in persuading the Maharaja. It can also be said that the meeting with Guruji was decisive in the Maharaja's decision to accede, because it was after this meeting that the process of accession got going. The invasion by Pakistan was the final stamp on the decision. (Based on memoirs of Shri Balraj Madhok, Shri Harish Bhanot, Shri Vasantrao Oke, the late Jagdish Abrol, the late Madhavrao Muley and the late Abasaheb Thatte.)

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SANGH WORK IN JAMMU KASHMIR

As stated earlier, in the organisational structure of Sangh work the Slate of Jammu-Kashmir was initially a part of the Punjab province, It was made a division of Punjab.

Shri Balraj Madhok was a student in Lahore. He also became a Swayamsevak there. During the vacations he came to his father in Jammu. It was he who set up the first Sangh Shakha at Diwan Mandir in Jammu in the year 1939. Before this he had started a Shakha in Layalpur too. At the same time the then Pracharak K,D. Joshi sent a worker by name Ravindra -Verma to Jammu. Because of Shri Madhok's efforts and influence a team of seven workers went to Sialkot to attend an I.T.C. organised for Punjab province. This team of young men became the pillars of Sangh work in Jammu.

Prant Pracharak Shri Madhavrao Muley was present at the Camp, and he motivated many workers attending it to become Pracharaks. Shri Jagdish Abrol was sent to Jammu. He came from a well-known Kshatriya family of Sialkot. In those days he was working in the postal department in Calcutta, but he left the Government job to attend the I.T.C. In this camp he too decided to become a Pracharak and came to Jammu. He toiled day and night and lived on some money he had brought from home. Finally he was accommodated in a room in Ved Mandir, where a government employee by name Bhaktaraj was made his guard.

That room in Ved Mandir became a centre of activity.

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Young men began to come there, and it 'became the first Sangh Karyalaya in Jammu. With the help of the young men who had returned after taking training at the Sialkot camp the Dewan Mandir Shakha was strengthened. This was followed by a rapid expansion of the Shakha network. During this time the Bhola Hotel proprietor, impressed with Abrol's congenial behaviour, arranged for his meals. In 1940 all Shakhas jointly celebrated the Vijaya Dashami function. It was presided over by Pt. Prem Nath Dogra, and the chief guest was Col. (Retd.) Balwan Singh of the Indian Army. This was when Shyamlal Sharma was nominated the first Nagar Karyavaha. Another prominent worker was Durgadas Verma. Till 1941 Jammu city had 4 morning and 4 evening Shakhas. Later Sangh work spread to adjoining areas like Bhadarwah, Mirpur etc. In 1941 Sarsanghchalak Shri Guruji visited Jammu. In a huge rally of Swayamsevaks and citizens Pt. Prem Nath Dogra was declared Sanghchalak. The function was presided over by Thakur Rajendra Singh. The credit for bringing Pt. Dogra into the Sangh fold went to Shri Abrol. Because of Pt. Premnath the Sangh in Jammu acquired status and strength.

After this a network of Shakhas began to spread in the city and areas around Jammu. Now even Jammu began to produce Pracharaks, Devendra Shastri was sent to Riyasi and Chaman Swamp to Kathua. In the meanwhile, Shri Balraj Madhok was appointed Vibhag Pracharak and Jagdish Abrol was sent to Sargodha. But Madhok worked as Pracharak for only a year and a quartere He did not wish to live off the organisation but to earn to maintain himself. He was bright and well-educated and it was not difficult for him to get a job as professor of History in the Sanatan Dharma College of Srinagar. But in the year and a quarter that he worked as Pracharak in Jammu he toiled so hard that he could spread the Sangh virtually to all cities and towns of Jammu province. People from all walks of life, and especially students, began to join the Sangh in a rapid stream, After Shri Madhok left, Shri Abrol was again given the charge of Jammu Division.

By 1943 the Sangh had become a force in Jammu. The daily attendance in the city was 2000. That year the

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Swayamsevaks showed great organisational ability and discipline in managing the Maha Shivratri festival at the request of its organisers. The strength and discipline of the Sangh could not but impress those Hindu leaders who had till then scoffed at it as a gathering of boys. Now they even urged Jagdish Abrol to provide Sangh security to Lord Krishna's procession on Janmashtami Day. The reason was that till then the procession could not proceed beyond Kanak Mandi. There was a danger to the floats because of the rowdyism of Muslims influenced by the Leage. This was the situation in a Hindu-majority area of a Hindu State! Abrol accepted the challenge on condition that in case of trouble the leaders would not back out. A plan was made. All Swayamsevaks were told to join the procession in their usual dress. Fifty young men began to pull Lord Krishna's chariot. Fifty Swayamsevaks were deployed to provide security to the saints and Hindu leaders. Two hundred Swayamsevaks marched in orderly lines around the women in the procession. A hundred Swayamsevaks equipped with arms took up positions on the roof of houses in Kanakmandi and Rajendra bazar, the potential trouble spots. With such sound bandobust the procession was taken out with all enthusiasm. Anyone who tried to create trouble was promptly dealt with. Thus the Sangh became the focus of hope for the citizens.

There was another occasion in 1946. This time the trouble- makers had given the challenge. But this time the Sangh was still stronger. It accepted the challenge and made security arrangements for the entire route. There was trouble, but the trouble-makers were routed and the procession was taken out proudly and successfully.

Even in the Muslim-majority Kashmir valley Prof. Balraj Madhok's ceaseless efforts resulted in Sangh work getting started. While still working as a college teacher his main aim was spreading the Sangh. It was due to his efforts that the first Sangh Shakha started in 1944. But it was attended only by Swayamsevaks from Jammu and Punjab. The people of the valley remained aloof. Actually Kashmiris, whether Hindu or

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Muslim, had a tradition of not mixing with non-Kashmiris. But the uniqueness of the Sangh's Shakha system successfully dented this tradition. Because of the ceaseless efforts and congenial nature of Madhok as well as Swayamsevaks from Jammu and Punjab, Kashmiri youths were gradually drawn to the Shakha. But this took more than a year.

Shri Madhok calls this his greatest achievement. But when he staffed his efforts in this direction he was warned that it would prove an exercise in futility. When Kashmiri youths came forward, Sangh work grew rapidly. A time came when they were in preponderant numbers in the Shakha, became office-bearers and even Pracharaks. After work was consolidated in Srinagar expansion plans were also made for other cities. Madhok lived in a small house near Hazoori Maidan on the first floor, while the Sangh Karyalaya was on the ground floor.

In 1946 Sri Guruji visited Srinagar. A big public meeting was held in the courtyard of DLV, in which more than a thousand Swayamsevaks in full uniform and a large number of eminent citizens were present. This programme infused a new vigour in the Kashmir valley. In its aftermath Kashmiri youths like Makkhanlal Ebna and Omkar Nath Kak set out as Pracharaks. Many eminent people also came close to the Sangh. By this time the Sangh had acquired a strong presence not only in Srinagar but in places like Baramulla, Pahelgaum, Uri, Anantnag, Muzaffarabad as well.

About expansion of Sangh work in Kashmir Shri Balraj Madhok writes in his book : 'For two years I tried hard to spread the Sangh Work. I went to every nook and corner of old Srinagar to meet the Kashmiri youths and thus spread the Sangh network first in Srinagar and then in other parts of the valley... Till 1946 the number of Swayamsevaks in Srinagar had risen to one thousand. When they gathered in proper uniform on sundays, self-confidence and enthusiasm would fill their hearts and the general Hindu masses also could not remain untouched by that. Sangh had come up as a force in the valley whom none would

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ignore.' ('Jeevan Ka Safar', p. 72)

This vigilant, organised strength made it possible for the Sangh to protect the Hindu society when calamity struck, resettle displaced persons, and rescue people in peril. It could become a trusted comrade of the armed forces and deal with traitors. It could gather intelligence about the Pakistani aggression, alert the army, and even hold off the invaders at many places till the army arrived. It was because of this strength that at many places it helped the Indian Army and became a reliableally for it in that unfamiliar terrain overrun by the enemy. Some inspiring glimpses of the Swayamsevaks' bravery and martyrdom have been presented in the chapters that follow.

Patriots not wanted

The Sheikh Abdulla government of Jammu-Kashmir had set up a 'National Militia'. This organisation was under communist control. Communist's boys and girls came from Delhi and U.P to join it. They were given training in arms. There were also a lot of- Leaguers in it. But Sangh Swayamsevak was banned from entry. While joining every recruit had to swear by 'Khuda' that he was never a member of the Sangh. (Daily

'Akashvani' Jan. 16. 1948 p. l).

Thakur Omkar Singh

A very able Pracharak from Jammu was Thakur Omkar Singh. At first he worked in Jammu-Kashmir, but later, because of certain special circumstances, he was sent to Kerala under the name Narendra where he laid the foundation of Sangh work. Thakur was from a very influential family. He had secured a commission in the army, but he gave up that opportunity to become a Sangh Pracharak.

Ref: from the book "Know about RSS" by Arun Anand

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BLOODBATH AT MIRPUR

Who could guess that the city of Mirpur which as per a legend, was laid by two pious saints namely Mir Shah Gazi (A Muslim Prophet) and Gosain Budh Puri(An Hindu Prophet) presenting a symbol of Hindu Muslim unity by taking the word "Mir' from the name of the former and the word 'Pur' from the name of the latter, thus giving the combined name 'Mirpur' to the said city, would one day, be annihilated by the political rivalry and frenzy of the leaders of the same two communities of the same country viz India which was later divided into two Dominions i.e. India and Pakistan on 15th August 1947."

Mirpur city is no more now as the same got submerged in water when the Government of Pakistan constructed Mangla Dam in the late sixties. Now, the only visible sign of Mirpur city is the heart of the city and can be seen in stumbling condition only when the water level of the Dam is low during winter months.

What a terrible and heart rendling scene It was! Which the author witnessed at the age of sixteen, when Pakistan with its fully armed Battalion, like a hungry wolf, pounced upon the Innocent and unarmed population of Mirpur city now in P.O.K. when out of the total population of 25,000 souls including men, women, and children of tender ages, more than 18, 000 persons were brutally killed in three days carnage on 25,26th and 27th November, 1947.

The only fault of the people of Mirpur was that they had unitedly vowed to protect Mirpur their birth land, from the

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Pakistani raiders even at the cost of their own lives.

The trouble started when on 26th October, 1947 the Maharaja Hari Singh the then Ruler of Jammu and Kashmir State, signed the Instrument of accession after which the state of J&K became an integral part of India. This could not be digested by the Pakistan Government. They planned a nefarious design in connivance with the Pathans. This led to a secret agreement between Pakistan Government and Pathan mercenaries according to which if Mirpur city was forcibly occupied, the captured women would be taken by the Pathans and the immovable land of Mirpur and movable property viz gold, cash etc would be the share of Pakistan Government. This was named as Zan and Zar agreement.

Before conducting the army attack, the Pakistan Government in the first week of the November 1947 managed in secret manner, in the city of Mirpur, in which it was written that Pakistan Government would assign a special status to Mirpur in Pakistan Government if the citizens of Mirpur amicably surrender themselves and allow the Pakistan army to occupy the territory of Mirpur without any hindrance. The literate and the elderly persons of the city met in the evening and decide our rightly to reject the proposals of the Pakistan Government and the refusal was conveyed through the shower of bullets from each defense picket of the city. This brought a terrible attack on Mirpur from the enemy.

The small and il equipped State Police force Stationed at that time at Mirpur was fully assisted by the young civil population of the city. At the midnight of November 24, 1947, under a thick cover of artillery shelling and bursting of grenades which are normally used during an openly declared war, the Pakistan army launched a major attack on the Southern side of the city, which was spiritedly resisted by the depleting garrison force for six hours. Although the pickets held tough resistance, the enemy came in wave after wave and after six hours of ceaseless fighting, the defense line of the city was run over by seven Pathans. Alarmed by the most critical situation, the Flying

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Deaths squads of the city engaged themselves madly in hand to hand fight with the infiltrators and killed all the seven Pathans at the cost of life of many young men of the Mirpur community. Though the people of Mirpur displayed tremendous grit and tenacity but the end seemed gloomy and dreadful because that operation brought the city stock of ammunition to nearly Zero level. Further, due to the irony of fate, the old modelled wireless set installed in the police camp at Mirpur suddenly developed some technical defect and went out of order which led to disruption in radio link with the State police Headquarters at Jammu and Government of India. Despite war like situation created by Pakistan, the Government of India due to political rivalry between the then Prime Minister of India and the Maharaja of J&K State, did not send army through at that time the Indian army was stationed at Jhanghar which was at a distance of only 20 miles from Mirpur.

In that critical situation, the State Administration headed by wazir Wazarat of Mirpur decided clandestibely to retreat to Jammu leaving behind the hapless civil population of the city to face the wrath of the marauders. In fact, at that time it was the moral duty of the State Administration to ask the citizens of Mirpur to vacate the city and march towards Jammu under their protection but contrary to it, the Wazir Wazarat and his police officers galloped their horses and left the city in the we hours on November25, even leaving behind their own wounded soldiers who were crying in pain of their wounds in the Police line Hospital. This coward departure of the State Administration from Mirpur city, gave a Jubilant signal to the enemy. At that time, the whole population of the city of Mirpur felt themselves as hanging breathlessly in between the tight jaws of the enemy which was very eager to swallow the flesh and even the bones of the people of Mirpur who had refused out rightly to give shelters to the Pakistani Soldiers in the city of Mirpur.

Immediately after the departure of the State Administration from the city a fully armed Battalion of the Pakistan army assisted by Pathan raiders entered the city from all sides at the stroke of 8:30am and by creating terrible sounds

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from the war instruments, pushed the city population into one corner of the city. The terrified men, women, and children in utter chaos and confusion in the midst of heavy firing from all sides and in choking atmosphere due to smoke coming out of the burning houses of the city, scattered and marched in caravan in different directions without knowing where they were going. They were intercepted by the enemy at various places and like hungry wolves they unleashed terror and brutal savagery which made the whole area an open grave yard of dead bodies and many uncounted seriously wounded uncared persons were battling for life in the whirl pool of their own blood. By the time of sunset, the whole area from Mirpur city to a hill-foot was fully covered with dead bodies and critically injured persons. Ultimately, in the depleting evening, the Nature by force had to display a signal through the darkness that the grave yard was full and no more entry of any dead body was possible. That brought the temporary stay in the day atrocity.

This was not the end of the misery of the people of Mirpur. At night of the same day an ill-fated group of about 2,000 captured persons was brought at a place known as "kas Guma" a colony of retired Muslim soldiers. The enemy encircled the captives and asked them to surrender al the cash and jewellery which they had with them. Thereafter, the male persons were asked to remove their clothes and lie down in a row. They were tortured brutally and killed in batches during the whole night. The women and girls were taken to unknown places by the Pathans as per their "Zen and Zar" agreement with the Pakistan Government. Next day, the enemy drove another group of about 2000 persons and brought them at a village known as "Thathal". They also met the same brutal treatment as at "Kas Guma" during the day. Finally there was a massacre at Alibeg where about 5,000 captives were huddled up in old deserted and unhygienic ruined Gurdwara building. In the beginning about 50 to 100 young men were daily taken on Pick and choose basis to kill them in the open fields. Besides , on average basis about 15 to 20 aged captives died every day due to severe cold weather condition, starvation, illness and mental shock.

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On December 1 ,a young Muslim Attorney named Mohammad Ibrahim being very soft in tongue and well known to many Hindu officers of Mirpur, visited the Alibeg prison and showed his lip sympathy to the intelligentsia who were brought there as captives and also shed his crocodile tears on their pitiable condition and assured them that he would do his best to talk with the concerned authorities of the Government of Pakistan to get them employed in the factories on daily wage basis till they were at Alibeg camp as captives. He distributed Muslim caps and mufflers to some of them as a token of friendship, but those gestures were in fact subtle signals and indications to the Pakistani soldiers to kill those persons first. The next morning, the enemy soldiers drove a group of educated people of the prison on the pretext that they would be taken back in the evening with earning after utilizing their services in the factories during the day. Those wearing caps and mufflers proudly occupied the front line to get priority in getting job in the factories but they never came back as they all were slaughtered on the bank of Jhelum Canal.

In the mid January, 1948 a team of ICRC (International committee of Red Cross) arrived there and took charge of the camp and supplied the needed food and medicines to the captives. On March 18 , they managed to get the captives liberated in exchange of the same number of Muslims who were in India and willing to go to Pakistan. The liberated captives, at that time, were not more than about 1600 as the rest were either killed/died or kidnapped. The liberated person was mostly aged and even unable to walk. They reached Amritsar where they were given a tearful and touching reception by their relatives and the general public.

Refrences: An article written by C.P Gupta

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ABOUT MIRPUR

Sangh Ensures Food for Mirpur

When, after the creation of Pakistan, danger loomed over Mirpur Sangh Swayamsevaks took charge of all arrangements. Because of the influx from neighbouring villages as well as Punjab the population of Mirpur had gone up. These people too had to be looked after. As a first step iron gates were erected on all roads coming into the city, so that no undesirable elements could come in. All Muslims of the city had run away as per Plan. They had joined other attackers in a seige to the city. Mirpur was cut off from the outside world. No commodity could come in. In an appeal to the people Sangh Swayamsevaks said 'we are not separate families but one big family, so whatever foodstuff a family had was to be shared with the whole city'. Everyone cooperated. Consequently there was no shortage of anything for nearly two months. In response to the Sangh's appeal the young and the old gave up sugar, it was reserved for children, so there was no sugar shortage either. Generally individual greed predominates in such situations, but because of the Sangh everyone in the city thought of his fellowmen. This was related by Ram Kishan Dutta, in those days a Swayamsevak of Raghunath Shakha of Mirpur, now living at 230, Sector 2, Calcutta.

Massacre at Mirpur

Mirpur was a district place, the district consisting of Mirpur, Bhimber and Kotli tehsils, and the stage (Tappa) of Manshehra. Sardar Maha Singh, General of Maharaja Ranjit

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Singh's army, belonged to Mirpur. Although the city and district of Mirpur were a part of the State of Jammu-Kashmir they never had a direct connection either with Jammu or with Srinagar. The language spoken in this region, Mirpuri, was also a dialect of Louhadi (Panjabi). This city was situated on a picturesque hillock about ten miles to the North-East of Mangla Mai fort on the Jhelum in the South-West corner of the State, where the Mangla -Mai temple is situated, and where Pakistan has now built a big dam. The Jhelum was the border between Jammu-Kashmir and British India. The river was ten miles from Mirpur. The Pakistani city of Jhelum on river Jhelum was 24 miles away from here. The entire area from Kathua to Poonch through Mirpur bordered on Pakistani's Shakkargarh, Sialkot, Gujarat, Jhelum, Gujarkhan, and Rawalpindi. This was a Muslim-majority area. Hindus lived mostly in towns and cities. Mirpur had a population of 10,000. Many Hindus were Mahajans (businessmen), who were quite prosperous.

In all these places the Sangh was quite active. Thakur Omkar Singh, Kedar Nath Sahni, Harbans Lal etc. were Pracharaks there. They had kept up the people's morale. At all prominent Kasbas (towns) in the district the army units stationed there were supported by Sangh Swayamsevaks in manning defence positions. But in the first place their number was meagre, and in the second, the advancing enemy was not only as numerous as a swarm of locusts but was equipped with modern weapons. As a result defences crumbled one after the other. Those Hindus in the surrounding areas who survived were fleeing to Mirpur. As a result the population of the city had risen to around 25,000.

Now the enemy laid a seige to Mirpur. He advanced on the city from all directions. Dogra soldiers, Sangh Swayamsevaks and other brave young men joined hands and erected a line of defence with whatever arms they could lay their hands on. For 20 days they held off the enemy, worsting him

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with the ordinary arms they had, In order to keep up the morale of the people the Swayamsevaks brought the dead bodies of the Kabailis killed and took them out in a procession. The people responded with great enthusiasm.

But it was an unequal battle—a battle between a regular well-armed army aided and abetted by hordes of treacherous Muslims and a handful of patriots fighting with old 303 rifles and muskets. The enemy was stepping up pressure. He could enter the city any moment and go on a rampage. The aggressors were riding the high horse of Jehad. The propaganda that had inflamed them was that they would be able to lay their hands on massive wealth, be rewarded with young maidens of heavenly beauty, and have the opportunity of becoming Gazi by massacring Kafirs.

The people of the city expected and had also received reports that the Indian army had completely driven the enemy out of the Kashmir valley, and it was the enemy worsted there who was creating havoc in the region, but the Indian army had reached Jhangar and would soon arrive in Mirpur to stamp out the enemy. But this hope proved a mirage. The Indian army never came.

Not that high official did not know or were not informed about the danger looming over Mirpur and its imminent fall. In Jammu the Sangh people, under the leadership of Prem Nath Dogra, Balraj Madhok etc. and other alert citizens, had repeatedly urged that the Indian army be immediately sent to Mirpur. They had done this even before Bhimber, Rajouri etc. fell. Madhok and other Sangh workers of Jammu called on Brig Paranjpe, Commander of the Indian contingent, and acquainted him with the seriousness of the situation. Paranjpe lent a sympathetic ear and expressed his agreement but regretted his inability to do anything. He said according to a directive from Pt. Nehru it was for Sheikh Abdullah to decide where Indian forces

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were to be deployed. 'We have no say in the matter and Sheikh Abdullah has no interest in the Jammu region, he is only worried about the valley's security.' Paranjpe told Madhok Pt. Nehru was visiting Srinagar on Nov. 15 and en route would halt at Jammu for some time, when he could be acquainted with this situation. That day these people reached the Satkanda Airport. Paranjpe had managed for an audience. As Pt. Nehru got down from the plane and walked away they stepped forward, told him about the grave situation in Mirpur, and prayed to him to send an Indian force immediately to save 25,000 Hindus of the city. But instead of listening to them seriously and sympathetically Nehru curly said, 'Meet Sheikh, talk to him.' On this Madhok said, 'Sheikh does not care for Jammu. He doesn't listen to us. Had he listened why would we have come to you?' But this had no effect on Nehru.

Perhaps Sheikh Abdullah did not mind if, except for the valley, the entire Muslim-majority region of Kashmir went to Pakistan. This is also clear from the fact that finally it had been decided to send the army to Mirpur. Twenty four Lorries carrying Indian Jawans were in readiness to go to Mirpur, but suddenly, on the Sheikh's directive, their direction was changed from Mirpur to Srinagar, although by that time the valley had been completely liberated.

The Indian army could have been sent to Mirpur quite easily. Planes carrying Jawans could have crossed the distance of 32 miles in a few minutes and reached Mirpur. And this force could have driven the enemy beyond the Jhelum in a short time. The attackers used to panic at the very mention of the Indian army. An Indian force had already been sent from Uri via Poonch. Had the campaign also been launched from Mirpur, the army could have advanced via Kotla and liberated the whole region. But this was not done, and the result was the complete destruction of Mirpur. The whole area was usurped by Pakistan after a genocide of Hindus.

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The Traitor

Rao Ratan Singh was the Wazir-e-Wazarat (district head) here. Despite such a serious situation he sat idle in his office. If anyone asked him to do something he would brush him away, saying, 'All's well. You people are unnecessarily interfering with work. At no cost will the enemy be allowed to enter the city. No one will suffer even a scratch.' He was a latter-day Nero fiddling while Rome was burning. He did not allow the citizens of Mirpur to flee, but he sent his own family to Jammu.

Despite Rao Raja's hollow assurances it was clear to the people of Mirpur that the end was near.

The enemy was getting more and more aggressive. There was a rain of bullets. Shon-barrelled Pathan guns were being used. Even in this terrible situation Swayamsevaks and other young men manned the defence positions. They also risked their lives to keep up the supply Of foodstuffs to the Jawans. The citizens too rose to the occasion in an exemplary manner. They stopped eating rice and supplied it to the army.

On the night o! Nov. 23, one of the defence positions gave way, and the enemy entered the city. Still Rao did nothing. Then came the fell day of Nov, 24. Mortars rained on the city. The people's anxiety mounted sharply, and at this critical moment Rao Raja betrayed the people. Taking with him whatever army was left, he fled the city! The news demoralised the people completely. No one was told anything. Those who asked questions were told he was going for an inspection of advance posts. It was a complete betrayal.

The attackers had now entrenched themselves in a mosque and were firing at the people.

A very big mistake Rao Raja had made was that five days

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before the fall of Mirpur he had allowed Mohammed Yahya Khan, the City's Police Superintendent, to migrate safely to Pakistan. This man knew the city like the palm of his hand. He knew every post and every battle station. He also knew the weak points.

All this information he provided to the enemy.

The moment the enemy entered the city, the people were gripped by panic. Swayamsevaks still fought on and fell in battle, but the people were crazed with fear. They ran in all directions. The enemy was- now using incendiary bombs. Houses burned, and the people trapped in them were roasted alive. Those caught in the open were thrown in the fire. Small children were lifted on the points of spears and also thrown into it. There was massacre and plunder everywhere. People were running for life, but death ran faster and caught up with them. For three days the massacre went on. The fiend was at large, and the innocent were put to the sword.

Betrayal

Muslim League leader Ibrahim hatched yet another conspiracy of betrayal He told leading citizens of Mirpur that arrangements had been made to take them safely to Jammu. On the pretext of security they were assembled by the canal. People trusted the assurance and came in the hope that there would be talks and they would be allowed to leave alive for some consideration. But there was betrayal in store for them. The talks had hardly begun when Kabailis surrounded them and killed them all,

Jauhar

Many young women saved their honour by jumping into wells. Many others took poison or hanged themselves. Many

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ended their lives by offering themselves to the swords of their kith and kin. They re-wrote the history of the Jauhar of Chittor. But it was all in vain. A selfish leadership prevented this martyrdom from becoming a pan of history. It was—and still is—deliberately kept away from the people.

Out of 25,000 people of Mirpur only about a thousand survived. There was hardly a family that had not lost someone. Numberless women were widowed and children orphaned. Five thousand women were abducted and auctioned in the markets of Kabul, Tehran etc.

Sangh Saved Some

For those who fled Mirpur and headed for Jammu arrangements were made at a place called Mangal by Kedar Nath Sahni, then Pracharak for the Mirpur-Kotla-Poonch region. A hundred Swayamsevaks had come from Jammu for this. The refugees were provided with food and shelter here, and then sent to Jammu by bus. All these arrangements were made by the Sangh. But for them even the survivors would have not been able to reach Jammu.

Death Camp of Alibeg

Even those who somehow escaped the genocide at Mirpur were by no means safe. Everywhere death pursued them in the form of Kabailis and Muslims. Wherever they went, the men were ruthlessly massacred and the women abducted and ravished.

For those who still survived these ordeals the enemy had set up a death camp at Alibeg, a small town on the Jhelum Canal about 4-5 miles from Mirpur. A grand gurudwara that once stood here had been stripped of all its valuable effects and demolished. Only its walls and partly-destroyed ceiling remained. This was where the Camp was set up for those luckless people who were caught while fleeing Mirpur.

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It was virtually a death camp. Those herded in it had to spend cold nights under the open sky without a mattress to lie on. The Atta doled out as rations was deliberately mixed with powdered glass and lime. For the whole day the ration per person was three and a half chhatak. People who ate rotis made of this Atta naturally fell ill and died for want of medicines. Some were taken out and tortured to death. The rest had been reduced to skeletons. Out of 5000 Hindu captives here only 1500 remained. Three months later a team of the American Red Cross arrived at the Camp and was shocked at the pitiable plight of the inmates and their terrible tales. It took over the camp's management, gave food and blankets, and arranged for the children and the aged to be taken to Amritsar and handed over to the Government of India. Four months later the rest came over. There was generally no question about there being any woman, for they had been either killed or auctioned in the bazars of Kabul, Teheran and other Muslim countries.

Pathan Fiends

The Baluch and Pathan soldiers guarding the Alibeg camp were fiends in human form. They were always looking for excuses to torture the Hindu captives. If there was no excuse, they made one.

One day a small child belonging to a captured family went out to make water. As he was returning a Kabaili saw him. The soldier struck him hard and shouted 'Haramzada, is this your father's property that you make water here?' Quaking with fear the boy replied, 'But I went a long way to pass water. I can show you the place.' The fiend saw red at the innocent reply, and simply shot the boy dead! The inmates who watched could do nothing but shed tears.

This was related by Puntshottamlal Gupta, now living in Lajpat Nagar, Delhi, who was a captive at the Alibeg Camp and

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was an eye-witness to the inhuman act.

Brave Maiden

Innumerable brave daughters of Bharat Mata preferred to fight goondas and die in the fight to falling in their hands and being ravished. Chandar, the young daughter of Mirpur resident Mukundlal Thathar, was n-inning to safety. On the Jantla bridge two Muslim goondas caught up with her. In a firm tone she told them, 'Get back. I know how to protect myself.' Unmindful of her warning one goonda caught hold of her from the front and held her to his chest while the other grabbed her from behind. But with a tremendous push she flung both of them away, and as they rolled on the ground she jumped into the canal and ended her life. Mukundalal also became a martyr while fighting many goondas.

Immortal Martyrs

Purushottam Gupta, who survived the terrible genocide at Mirpur has written thus about the heroism of the Swayamsevaks there: 'Death stalked the land. The State's army had run away. Even Rao Ratan Singh, the district head of Mirpur, had fled, leaving the people to the tender mercies of the Pakistani wolves. But the young men of the RSS stood at their battle stations, challenging the enemy. When riddled with bullets they fell where they stood, but they did not desert their posts. They were brave martyrs and immortal heroes.
(From 'Jammu Dipika')

Despicable Mindset

Lala Amar Nath, a well-known iron goods trader of Mirpur,was a captive at the Alibeg Camp. His family was with him. One day some League goondas began to drag away his married daughter. Lalaji was a robust man and he struggled

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with the goondas, but one of them shot him dead. Seeing this his wife Ram Pyari sprang forward to fight with the goondas, but she was flung aside. Both mother and daughter kept screaming while the goondas carried the girl away. She was subjected to all indignities. Still she somehow managed to give them the slip and come to India. But her husband and his family refused to accept her. She begged of them and asked them, how she could be held responsible for what happened to her. But they remained adamant. They could not protect her, but when she escaped the goondas' clutches they refused to accept her in the name of morality and religion!' Lala Amarnath's daughter must have surely thought she had made a mistake in coming to India. In sheer desperation she committed suicide. Who knows how many more like her were forced to end their lives?

Lioness Shakuntala

Eighteen-year-old Shakuntala was a resident of Mirpur. When the attackers entered the city and began the dance of death and destruction her parents, brother and other relatives were killed before her eyes. Thereupon, becoming a Kali she took up her gun and brought down many goondas. As long as she had ammunition no one could go near her. When it ended she threw away the gun. By now she had also been hit a number of times. A 303 bullet had pierced her left foot. When the goondas ran forward to catch hold of her, she screamed, 'Let him who has been fighting me come forward'. Ali Khan, who had killed her parents, stepped forward. Shakuntala sprang on him and snatched away his gun, but in the meanwhile the others overpowered her and carried her away. Hideous atrocities were committed on her, and finally she was kept in a village of Mianwali, Pakistan. It was from this place that the Indian Army rescued her. The Jawans told the liaison officer that Shakuntala was lying helpless in a house in the village and her left leg was bandaged.

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When the liaison officer went to her and asked her to leave for Bharat she declined, as she thought it was a trick. But when he showed her a letter written in Hindi, she was convinced that he was a Hindu and would really take her to India. Overcome with emotion she shouted, 'Bharat Zindabad, Hindusthan Zindabad!'

This incident was related to a correspondent of Associated Press by an official of East Punjab.
(Weekly Akashvani, June 8, 1948, p. 3)

The Valiant Fight

Our village was 99.9% Muslim. There were only three Sikh and three Hindu families. The Hindus were traders. We had thousands Bighas of farmland. We also had a money-lending business. There was no difference between the Hindus and Muslims. All lived in amity.
The announcement of the partition had no effect on our village. But on August 10, 1947 the Muslims suddenly began to collect arms. They were greater in number; still they were not in a position to fight us.

On August 13, they got in touch with Pathans. On August 14, we came to know that the next morning the Pathans would attack the village. So we decided to leave. At 4.30 in the afternoon we left all our belongings behind, mounted our horses and went to Fort Darhal ten km away. This fort belonged to the Maharaja of Kashmir and some Sikh families were living there. We were on good terms with them. These people had arms and we too had brought our arms with us, so there was no cause for fear. There was a camp of the State's forces 12 km from the Fort. We were in contact with it and exchanged messages with it. We stayed in this fort for about 20 days.

There was a place called Sartila 10 km from the fort,

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which had a Vasith Sikh population of 2000. One of them came to the fort at 10 0'clock at night and said, 'tomorrow morning Pathans are going to attack Sartila, so save us.' At midnight forty of us set out for Sartila, fully armed. Reaching there at 4 in the morning we helped them to quickly evacuate the place and set out for the fort with all of them. In spite of this prompt action we were attacked by Muslims and Pathans at 5 0'clock. But we kept up gunfire and brought all people safely to the fort.

The next day the Pathans attacked the fort itself. The battle raged for ten hours. Two of our side were wounded, while 8 Pathans were killed. Some of the Vasith Sikhs had been in the army. Their experience proved very useful.

On the third day a Captain from the Jhangarmahaj military camp came to the fort with ten soldiers, and said, 'Evacuate this fort by three o'clock this afternoon and reach the Jhangarmahaj catonment, as the Pathans are going to launch a big assault on this fort tomorrow morning. Their force has reached the vicinity.

We evacuated the fort within an hour and reached the military camp. The next day the Pathans attacked and overran the fort.

After this we learnt that Pakistani forces had attacked Mirpur and were massacring people. There is a distance of 32 km between Miirpur and Kotli. The Indian army reached Jhangar at night and from there left for Kotli to save it. Kotli is 40 miles from there.

The Hindu families of Kotli were brought to Jhangar in military vehicles. Later all of them were sent to Jammu in them.

After a few days there we moved to the displaced persons camp at Yol, district Kangra. From there we came to Etah district via Kangri and Delhi. Here we were given a petrol

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pump by the government, which is our means of livelihood.

This is the story of Sardar Rajendra Singh, now resident of Etah, who lived in Janjot, district Mirpur, before partition.

Fruits of Education

The genocide engineered in by Pakistanis in Mirpur, Kashmir, claimed a large number of Hindus. The women who managed to reach Jammu had become destitute. Fortunately a majority of them were educated. So some of them became nurses, some teachers, most of them got some employment and gave their children good education. These are now on good positions. Some of them are doctors, some engineers and others engaged in other vocations.

Reference: Manik Chandra Vajpayee (2002), Partition Days: The Fiery Saga of RSS

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ABOUT KOTLI

Kotli is a small town on the Mirpur-Poonch road, about 250 km to the North-West of Jammu and 60 km to the South of Poonch. Before being usurped by Pakistan it was the Mirpur tehsil headquarters of Mirpur district of the State of Jammu- Kashmir. The population was around 4000. Half Hindu, half Muslim. The Hindus lived on one side of the city, the Muslims on the other. The tehsil had a total population of about one lakh. In the rural areas there were 90 per cent Muslims. Still the Hindus lived a life of dignity. There was intercommunal cooperation. The Hindus were mainly in business, the Muslims in farming. Almost all over the State here was a good relationship between the two communities.

Sangh Established

Rashtriya Swayamsevak Sangh was established in Kotli on April 13, 1941. The Hindu society was rapidly drawn to it. By 1946, there was hardly a family that did not have a Swayamsevak in it. In a way the whole city became one with the Sangh. A network of Shakhas also spread throughout the villages of Kotli tehsil.

In the Service of the Displaced

On October 6, 1947 Pakistan-instigated marauders attacked Pattan. As was feared, Muslim officers and men of the

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Maharaja's army went over to the enemy. The Hindu force in Opan Pattan was massacred and the Kabailis advanced, burning villages, killing people and ravishing women. As danger neared, many Hindus in the surrounding areas came to Kotli, Sangh Swayamsevaks, in cooperation with the people, arranged for their migration, food etc. The population of Kotli suddenly went up. The people of the city extended every help to their displaced brethren, although they were themselves in danger.
Not only the displaced but even the soldiers charged with the safety of the city had to be looked after. Their food came from the residents' households. Some of them also went to people's homes for meals. Thus the military headquarters was free of the responsibility of feeding its men. Whatever the army needed, the Swayamsevaks took to it at risk to themselves.

The force deputed for the security of the city was quite inadequate, but fortunately the Maharaja's Supply Minister COL Baldev Singh Pathania came to Kotli on his way from Srinagar to Jammu. As Pakistani attackers had blocked all roads he had to halt at Kotli. So the men accompanying him for his security were added to the force present at Kotli. Thus the total number of security personnel grew to 250. But, of them 70-75 were Muslims, who could not be trusted.

Security Arrangements

After the riots of 1931 Kotli had been given the form of a fort. Now all 12 gates were closed and sandbags piled on them. The Swayamsevaks and the army men worked in full unison. In all 26 battle stations were erected. Eight of them were manned by the Jawans, the remaining 18 by Swayamsevaks, 70 to 75 in number at each station.

Unique Martyrdom

The city of Kotli was thus fortified. Just then a

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Swayamsevak brought the news that a place called Palandhari, 12 miles from Kotli, was besieged by attackers and the 1200 Hindus there were in danger or being wiped out. A delegation of the Sangh, led by Mirpur district pracharak Kedar Nath Sahani, met army officers and urged them to rescue those people and bring them to Kotli.

But the officers pleaded their inability, saying they did not haveenough men even for the defence of Kotli. They pointed out that even for the city's security they had to call upon the Sangh's cooperation. The Swayamsevaks assured them that in this rescue operation too their cooperation would be available. Finally, the army officers agreed to send a unit of 39 soldiers under Lt. Iswar Singh. They were joined by some constables under Police Inspector Hari Singh and 100 Swayamsevaks.

The mission could have succeeded, but the Muslim tehsildar of Kotli proved a traitor. He Sent information about the rescue force to the jailer and 'Numberdar' of Sarsawa, both Muslims, and asked them to alert the Kabailis. Accordingly preparations were made to ambush the group on the way.

The next day, the party set out for Palandhari. Prominent among the Swayamsevaks in the group were Master Manoharlal, Bakshi Krishnalal, Lalsingh Jargar of the Shakha of village Panjar, and Pt. Rajbakshi. Durgadas and Laxmichand of Sarsawa.

These brave men pressed ahead. They had no idea that they had been betrayed and the enemy lay in wait for them. They crossed a nullah—and suddenly they came under a hail of bullets. It was machinegun fire and mortars. All were either killed or wounded. Swayamsevaks Bakshi Durgadas, Chunnilal, Satyapal, son of Nihalchand, Satyapal, son of Khemraj, Jagjit Singh, son and master Manoharlal were captured. Durgadas who was wounded, also later fell into the

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enemy's hands. They were all brought before the Kabaili chieftain Dilerkhan, who asked them to become Muslims. Rejecting the idea out of hand they resolutely replied, 'we are Hindus and would die as Hindus.' Diler Khan ordered their massacre and they all embraced martyrdom for the sake of Country and Religion.

Those who were wounded but survived the massacre at the nullah, such as Bastiram, Thakurdas and Lalsingh Jargarsomehow reached Kotli via Ragar and informed the army commanders about what had happcncd, A tcam of Jawans and Swayamsevaks left for Ragar after crossing the river Poonch, but the enemy was on higher ground, so most of them fell, Lt. Iswar Singh was wounded but brought to safety.
Many such patriots laid their lives at the altar of the motherland in order to save Kashmir.

Competition for Martyrdom

The city of Kotli was under siege. There was constant firing, but the enemy could not breach the defences set up by the Jawans and the Swayamsevaks. But the ammunition with the Kashmiri force was limited and it was running out. A few more days, and it would be completely exhausted. So Col. Baldev Singh, commander of the defence, sent a wireless message to the Jammu headquarters asking for supply of ammunition and medicines by air. The message said the boxes be dropped where the letters KFT would be written large, But here too traitors informed the enemy of this. The result was that while the J-K force wrote KFT in large letters on the open ground in front of the Sanatan Dharma Sabha, the enemy wrote a similar message at village Peng, about a Kilometer away. When the plane came with 12 boxes of ammunition and medical supplies it was confused by the same lettering at two different places, and so dropped it somewhere in the middle. Unfortunately the boxes landed in an area that was fully within the range of the enemy's

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gunfire.

Now speed was of the essence. The enemy could have got hold of the boxes. The ammunition was badly needed for the defence of Kotli, which was in danger of falling,

The question was what to do? The defending force was already small and was manning the battle stations with the help of Swayamsevaks. If some of them were sent on the mission to get those boxes they could well have been killed, as the enemy was keeping up constant firing. Reaching those boxes in the hail of bullets was suicidal. Time was passing. There seemed to be no way out. In the meanwhile, the army officers remembered the Sangh. They had personally seen the courage and dedication of the Swayamsevaks at the battle stations. So Col. Baldev Singh Pathania and other army officers went to the Kotli Sangh Karyalaya. A meeting was going on there, in which Nagar Karyavah Ved Prakash Chadha, Mahipal, Suraj Prakash, Dr. Satyapal and other office- bearers were deliberating on the situation. The colonel placed his problem before them. The Sangh office-bearers realised the gravity of the situation and knew that the city could not be defended unless the boxes were retrieved. They sent out an emergency call, in response to which many Swayamsevaks presented themselves. They all insisted on going. Out of them 16 physically fit young men were selected. Army officers gave them some practice in how to creep forward on elbows. Then the intrepid group set out.

They were slowly advancing towards the boxes. They were covered by the army men manning the battle station on the Sanatan Dharma School. The protective fire provided cover for the advancing team and also prevented the enemy from approaching the boxes. From here the area of village Peng where the boxes were lying could be plainly seen. But the enemy was not sitting idle. There was a continuous shower of bullets from his side, as well as mortar bombs.

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In the midst of the firing from both sides the brave young men were advancing under the leadership of Nagar Karyavah Ved Prakash. He raised his head to see how far the boxes were, when a bullet came hissing through the air and pierced his head: A fountain of blood shot out, but he kept going. He was bleeding heavily, and when he reached the boxes he breathed his last. A priceless life was extinguished for the sake of the Society. Their leader's death did not deter his companions. Those who reached the boxes began to push them ahead of them and returned. The dangerous mission claimed the lives of six Swayamsevaks, but almost all boxes could be retrieved. This greatly boosted the morale of the defending forces as well as the people.

Those Swayamsevaks who made the supreme sacrifice included a 22-year-old youth named Somraj. He lived in Kotli with his maternal uncle Saidas. When he was selected for the mission his uncle locked him up in a room, saying 'If anything happened to you, as well it could, how can I show my face to my sister and your father?' Inside the room Somraj yearned to join the mission. He found an axe in the room. He broke down the door with it and joined the team. He crawled ahead cautiously and succeeded in retrieving one box. Placing it in the army's truck he returned and brought another box. But while he was returning with the third box a bullet pierced his head. His comrades brought him back, but his life could not be saved.

The wounded Swayamsevaks were taken to the Pamwagi Akhara. They included Amritlal of Sarsawa. He was hit in two places, in the head and in the side. The bullet in the side was taken out, but the one in the head could not be extracted. His condition deteriorated, and with words of comfort for his sobbing mother on his lips, he gave up his life and joined the ranks of martyrs.

The next day, the dead heroes were taken out in a funeral procession with full military honours. The whole city joined,

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singing partriotic songs. Soldiers paid respects with reversed arms. The procession reached the Balia Mohalla ground, where six funeral pyres had been prepared. The names of the six martyrs are: Ved Prakash Chaddha, Dharmavir Gupta, Kalaram Jargar, Somraj Kohli, Suraj Prakash and Amritlal Sarsawawala. The heroes were laid on the six pyres and the sacred fire lighted. As the flames rose high the soldiers fired a salute and the sky was rent with shouts of Bharat Mata ki Jai.

Dharmavir's Martyrdom

In Kotli the enemy had advanced a lot. There was only a street of 35 ft between the enemy's position and the city. There was heavy firing from his side. As the Swayamsevaks had succeeded in retrieving the ammunition boxes he was all the more furious in his attack. But the Jawans and Swayamsevaks stood fast at their battle stations, returning the enemy's gunfire with equal force.

The attackers had succeeded in setting up a fortification on Bhagat Roopchand's house. For the security of the city it was essential to demolish it. But how? There was only one way it could be done—if someone raced up to it and attacked with a mortar it would crumble. It was not an easy task. In fact it was like going into the jaws of death. Dharmavir, the young son of senior Sangh worker Kriparam, volunteered for the mission. With a bagful of grenades and mortars on his back he began to crawl towards his objective. Reaching within range he launched the mortars and the post crumbled. The mission was successful. But when he raised his head to see the result of his attack the enemy's bullet found him and he was no more. Dharmavir sacrificed his life and saved the city.

Successful struggle in vain

When information was received that Kotli was under siege and its residents faced extinction Brig Paranjpe was

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directed to reach there with an Indian force, rescue the residents and arrange for them to be sent safely to Jammu.

The people of Kotli were also anxiously awaiting the arrival of the army. Col. Baldev Singh was sending wireless message after message asking for reinforcements. For 56 days Swayamsevaks and Col. Pathania's forces were defending Kotli. Many patriots had made the supreme scarifice in the battle. The defenders were confident that if the Indian army came not only Kotli but the entire area could be liberated. So when it covered the distance of 50 miles from Jhangar and entered Kotli on Nov. 24 the people lustily cheered it. Sangh office-bearers met the officers of the Indian force and told them about the 56-day battle. The officers were all praise for the Swayamsevaks. On being asked by them the Swayamsevaks said the main danger to the city was from the Sharda hills. The army immediately captured these hills.

But it had not been sent with the wider objective of liberating the whole area along with Kotli and driving the enemy beyond the border. It was given the limited task of safely taking the residents of Kotli to Jammu. Had it been given the wider assignment it could have easily accomplished it. But it was not done.

At ten at night an announcement was made — 'tomorrow all residents should be ready with their belongings to leave for Jammu, as the city was to be evacuated.' It was a big blow for the Swayamsevaks and residents of Kotli. They had not held out for 56 days, sacrificed so many brave lives and defended Kotli just to leave it. Sangh office-bearers met Brig. Paranjpe and presented their objections. He heard them out, but replied that those were his orders.

Finally, with heavy hearts the residents of Kotli left their city, albeit with the hope that they would return home within a

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few days.

Sacrifice in vain?

Hundreds of Swayamsevaks had successfully fought Pakistani forces for 56 days for defending Kotli. They helped the State regiment stationed there in every way. They served the thousands of refugees who had fled the surrounding areas and come there. More than 125 Swayamsevaks had laid down their lives to defend these fellow-men, and many men of the State's army had also fallen. But due to the short-sightedness of the Government of India and treachery of Sheikh Abdullah the same Kotli has now become a part of so-called Azad Kashmir

A still more tragic irony is that even remembering those martyrs and pledging to translate their dream into reality has become an offence. Just the remembrance of those martyrs poses a hazard to secularism. Would we ever be able to visit those places hallowed by the sacred blood of those heroes?

Majority-Minority

'In the context of Majority-Minority equation Mahatma Gandhi said "I know that it is a fashion of today to say that Hindu- is a Majority community whereas the truth lies in the concept that Hindu is very resilient. He is not an united community or religion like Muslim and Christian. In reference to Bharat there can be various political parties but there is no majority or minority community. To cry for majority is dictating, is totally false to say.

Reference: Manik Chandra Vajpayee (2002), Partition Days: The Fiery Saga of RSS

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ABOUT RAJOURI

The Kashmir valley was already a completely Muslim- majority region. Many cities in the Jammu area also had a Muslim majority. One of them was Rajouri. The city is situated on a slope to the South of the Pir Panjal range, which separates Jammu from the valley. In ancient times, the road from Punjab to the Kashmir valley passed by here. Travellers setting out from Lahore would pass Gujarat, Bhimber and Rajouri to ascend the heights of Panjal. On the summit of the mountain, is the huge plain of Nandimarg. Having crossed this plain one could descend into the valley. Because of these special features Rajouri was a thriving commercial centre. It was also the native place of Veer Banda Bairagi.

When the Indian army drove the attackers out of the Kashmir valley and also captured Uri, it became difficult for them to return that way. So some of them began to descend towards Poonch via Gulmarg and some towards Rajouri via Nandimarg so that this region could be overrun. Thus danger loomed over Rajouri. Muslims of the surrounding areas were already preparing to besiege the city. The attackers' arrival raised their spirits. Rajouri was away from the Pakistani border, so an attack on it was not expected. No one thought the attack would come from the valley side. Rajouri had a population of 7-8 thousand, but because of the influx of Hindus from the surrounding areas, it had grown to 11 thousand. There was one police station and 14 untrained recruits of the army for the security of Rajouri. They were responsible for the security of the

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treasury.

Strong Sangh Shakha

There was a strong Sangh Shakha in Rajouri. The people had full faith in it. An incident would made it clear. On Baisakhi day the Muslims of Rajouri would hang swings on the trees, and according to custom women and young girls would come there to swing on these swings. The Muslims would swing the ropes. While doing so they would misbehave with Hindu girls. So Sangh Swayamsevaks once appealed to Hindu families not to send their girls to the swings. There was a hundred per cent public response to the appeal. Not a single Hindu woman went there. The Muslims were brought to their senses. They begged pardon and said no such thing would happen again. Such was the influence of the Sangh.

Had the Sheikh Not Betrayed

Then the leaders of Jammu, under the leadership of Sangh Office-bearers, called on the then Prime Minister of Jammu- Kashmir Meharchand Mahajan, and urged him to send the Indian army to save the people of Jammu and Rajouri as Rajouri was in danger. In view of the seriousness of the situation Mahajan did give the directive for the army to be sent to Rajouri. But Pt. Nehru had directed Indian army commanders to abide by Sheikh Abdullah's plans for deployment of forces, and he diverted the force going to Rajouri to Riyasi instead.

Finally, came into the Diwali of Vikram Samvat 2004, which proved a black Diwali for Rajouri. Swayamsevaks were patrolling the whole city. The aggressor had huge strength. People were told that a bugle would be sounded as a danger signal when the attack came. Those few Dogra soldiers who were present were deployed at the city's outposts. When they heard shouts of 'Allah ho Akbar' they shot a flare in the sky,

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which showed them the attackers were too numerous for then) to hold, so they fell back and came to the treasury. Then, as planned, Nagar Karyawah Krishna Kumar blew the bugle. The Hindus of the city assembled in the huge courtyard of the Tehsil. The attackers had entered the city. Swayamsevaks were patrolling the lanes. They had some hand grenades and some conventional rifles. Some attackers were wounded by these and their rifles and ammunition fell into the Swayamsevaks' hands. But even with these additional arms the battle was very much unequal. So after 18 hours of giving fight, by night time resistance more or less came to an end. Like the Swayamsevaks there were also other people who had rifles and were firing at the enemy. These included Swami Shatanand of Arya Samaj, who kept firing at the enemy from the Arya Samaj Mandir itself. But his fight too could not last long.

Now it became clear that Rajouri was doomed, as no help had come from outside. Now it was time for the supreme sacrifice by the brave daughters of Rajouri. They decided on Jauhar to protect their honour, and the Swayamsevaks distributed packets of poison. Every woman accepted the packet, as if it was Diwali sweets.

While preparations for Jauhar were thus going on, the attackers had launched on a massacre. When the devils approached the women put the poison in their mouths and instantly crumbled down lifeless. **According to information 1700 women committed suicide.** Those who did not get poison urged their relatives to end their lives before the Kabaili fiends could lay their hands on them, and this was done. Nine hundred women were thus killed by their own relatives. Those who made the supreme sacrifice for their honour were showered by their relatives with gold and silver, ornaments and cash. They now had no longing for this wealth.

At many places, women assembled and ended their lives

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in a similar manner. The history of Jauhar of Chittor was repeated, A glorious history of self-sacrifice was created.

The goondas had succeeded in capturing some girls alive. One of them was a girl named Krishna who courageously managed to free herself. In this she was helped by one Tirath Ram, who had been forcibly converted. Tirath Ram kept her with him. Krishna was the grand-daughter of Major Jhanda Singh of Rajouri. She is still in Palandhari. What happened to the others is not known. Without doubt they must have been sold in the bazars of Pakistan like cattle.

There were stampedes all over the city. People were running for their lives, but were being killed by the enemy who was everywhere. There was a terrible massacre. In the end those Hindus who had survived were gathered in the fields of the Dak Bungalow area—and were shot down. Men, women, children—none was spared. A very few remained to tell about this satanic deed on reaching Jammu. Along with the people about 500 Swayamsevaks met their end.

Rajouri fell, but after about a month the Indian army again captured it. But by this time the whole city was in ruins. People who visited it saw heaps of dead bodies still lying scattered in the courtyard of the Tehsil. The bodies of the women who had committed suicide by taking poison still lay where they fell. There was no relative left to perform their last rites and consign their 'asthi' to the holy Ganga. So through the Sanatan Dharma Sabha the Swayamsevaks collected thousands of bodies and burnt them. Then they loaded trucks with the ashes and 'asthi' and consigned those truckloads to the Ganga at Haridwar. After Rajouri was again brought into India a 'Balidan Bhavan' memorial was built in the Tehsil building where a massacre had taken place and women had committed Jauhar en masse. For 25 years Diwali was observed here as Martyrs' Days During this period the residents of Rajouri observed a black Diwali, they lit

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no lamps. Now-a-days Martyrs' Day is still observed in cooperation with the army. Many people still observe this as a black day in remembrance of the day death stalked Rajouri.

Kishorilal Gupta, a Swayamsevak who underwent this bloody holocaust and who now lives in Jammu, writes that he does not celebrate either Diwali or Baisakhi, for on that day 28 fellow Swayamsevaks were killed by Pathans in Sudhyal. Prominent among them were Mukundlal Modi, Krishnalal Modi, Dhaniram Arjinawis, Mukundlal Chug, Balram Chug's son Kishorilal, Jagdish of Chanas, Manoharlal Saraf, Hansraj and Dodhram of Chatiyod, Bodhraj of Sikar, Jyoti Prakash and soon.

Those who took the 'asthi' to Haridwar included Kishorilal Gupta and many other Swayamsevaks. Gupta could not contain his tears as he told the story.
(Account of Narendra's visit to Rajouri already given in beginning.)

Shri Balraj Madhok went to Rajouri five years after the event, visited the platform where hundreds of women had committed Jauhar, and reverentially applied its soil to his forehead.

People who came to Delhi from there have set up a colony in memoriam, and named it Rajouri Garden.

Reference: Manik Chandra Vajpayee (2002), Partition Days: The Fiery Saga of RSS

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ABOUT POONCH

The Panjal range, which separates the Jammu region from the Kashmir valley, begins at Sinthan valley and goes up to the Haji Pir valley via Banihal, Nandimarg and Gulmarg. Then comes the Jhelum river, which crosses this range and takes the waters of Kashmir towards Punjab. Uri is on the banks of this river 30 miles from Baramula, the last post of the valley. On the Kashmir valley side of this mountain there are scenic plains like Gulmarg and Nandimarg, while on the Jammu side there are many places of natural beauty and shallow valleys. Banihal and Rajouri are situated in the midest of such valleys. But the most beautiful of these cities and also historically the most important is Poonch, situated on the river of the same name. River Poonch later meets the Jhelum. The city is 4000 feet above sea level.

Now a small district of the State of Jammu-Kashmir, Poonch was an estate divided into four tehsils before partition, Bagh, Palandhari, Mendher and Haveli. The total population of the estate was about five lakh, about 90,000 Hindus, the rest Muslims. The city of Poonch was the capital of the estate. It was a scenic and historic city located in the lap of the mountains. The legend goes that Sage Pulastya did his penance here in Tretayug. The district has holy places like Nageshwar Mahadev and Palangi Devi.

The people of Poonch estate used to join the army in large members. During the Second World War the army had 90,000

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Jawans from here, both Hindus and Muslims. The border of Poonch stretched from Kohala to Laxman Pattan. Rawalpindi, pind Dadarkhan and so cm That is, everywhere the district was contiguous to Pakistan.

In the summer of 1942 a Sangh Shakha was started in Poonch due to the efforts of Surya Prakash Kharial and .Mirpur Karyavah Vishwanath Bakshi. The foundation stones of the Shakha were Badrinath Kapahi, Surendra Nath Phool, Shriniwas Sharma and 0m Prakash Gupta. Due to their efforts the Sangh grew despite difficulties. Rooplal, a lawyer, was made Nagar Karyavah and 0m Prakash Gupta Mukhya Shikshak. Two short months later a youth by name Amrit Sagar entered the Sangh. His efforts and influence led to a rapid growth of Sangh Shakhas and eminent intellectuals like Tehsildar Biharilal became active Sangh workers. By 1944 there were three evening Shakhas in the city, and a night Shakha and a morning Shakha had also started. The influence of the Sangh grew among the people. Initially Mirpur and Poonch were included in the Rawalpindi division for the purpose of Sangh work Vasant Agarkar and Durgadas Jyoti used to visit these places during their tours. Later this region was included in the Jammu division Kedar Nath Sahni, now BJP leader, became disu-ict Pracharak. Amrit Sagar was chief of evening Shakhas, while Satyavrat and Jairam were Mukhya Shikshaks.

In 1946 a training camp for this region was held at Sarsawa near Kotli. 50 Swayamsevaks from Poonch and Mendher walked all the way to attend it. By now there was a smell of danger in the air. So even while at the camp Amrit Sagar was given the job of touring the villages of the Poonch area, acquainting them with the impending danger and advising them to assemble at safe places in times of danger and stay united. This was because the Hindu population was scattered. Amrit Sagar asked Surendra Phool to tour the Mendhar tehsil and himself set out for Bagh and Palandhari. He saw that the

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Hindus had no idea of the impending danger and were completely off guard. They said 'many of us are retired army men, and we have arms.' They also had great faith in the Maharaja's army. As a result they were not alert. Amrit Sagar acquainted them with the seriousness of the situation, as a result of which many people left their villages and went to the army's camps.

After the establishment of Pakistan stray incidents had already begun to take place in the border areas of Jammu- Kashmir, but because of the vigil by Dogra soldiers who were spread all over the area Pakistani elements had not yet shown the courage to reveal themselves. Tension on the Pakistan- Poonch border was also growing. This continued till September. After this stray attacks began from across the border. The attitude of the local Muslims was also seen changing. It became clear that they had an understanding with the Pakistanis across the border. Hindus were few in number and they were not concentrated in particular places. They were scattered—a couple of houses here, a couple of houses there. They did have arms, still when they saw local Muslims changing colour they began to feel insecure. So they left their property and belongings behind and started reaching camps of the Dogra army. By September these places became big refugee camps.

Officers of the Pakistani army knew the strategic importance of Poonch, and right from the beginning they had their eyes not only on the Kashmir valley but also on the Poonch area. So along with advancing towards the valley, they also sent the Poonchi soldiers in their army into Poonch from the Rawalpindi side. These soldiers knew this area like the back of their hands. When Pakistan captured Uri a regiment of the Pakistani forces advanced towards Poonch. Places like Bagh fell soon, but they could not capture Poonch, as there was a strong unit of the state's army, which had set up formidable fortifications with the help of Sangh Swayamsevaks and

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citizens. But as days passed the enemy's pressure grew. The Pakistani forces had set up posts on the other side of river Poonch and in the nearby hills. The city began to be bombed. But within a few days the Kumaon regiment of the Indian army arrived and took over the defence of the city. The state's forces and the citizens extended full cooperation to it.

Diversion at Chhajan

After the Indian army landed at the Srinagar airport the first thing it did was to strengthen the city's defences. It drove out the enemy from the surrounding area, and then liberated Baramula and Uri. After this a unit of the Kumaon regiment left under Brig. Pritam Singh to save Poonch. As the Indians advanced the Pakistanis abandoned their posts one after the other and took to their heels. In order to trap Pakistanis hiding here and there Brig. Pritam Singh played a trick. He asked his men to shout Pakistan Zindabad. The trick worked and some Pakistanis fell in their hands. But it also created a problem.

While shouting the Pakistan slogan these Jawans and their armament were coming down the Haji Pir valley towards Poonch. Beyond it there was a nullah called Chhajan. Poonch was 13 miles from it. The Dogra government had built a wooden bridge on this nullah for traffic. It was being guarded in those days by a unit of retired armymen. This civilian force was under Subedar Brijlal. When he saw this regiment advancing with slogans of Pakistan Zindabad he thought it was a Pakistani attack force. He immediately contacted the civil authorities in Poonch on the wireless and asked what he should do. This advance towards Poonch by a unit of the Kumaon regiment had been kept a complete secret by the Indian army, and even the Poonch administration had no knowledge of it So it advised Subedar BrijlaJ to do as he thought fit. He sprinkled petrol on the wooden bridge and burnt it down. When Brig Pritam Singh

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reached the spot and saw the burnt bridge he was faced with the problem of how to proceed, He sent his men to Poonch on foot, but the question was how to take the tucks and armoured cars there. Chief Engineer Daulatram Sharma put 400 labourers to work to construct a diversion. But the labourers were slow and the diversion had to be built fast, so the Chief engineer asked Amrit Sagar for help. The next day 60 Swayamsevaks left Poonch with spades and other implements early in the morning and reached Chhajan by noon. They set to work with such a will that the diversion was ready in three hours.

Made the Airport

By the time the Kumaon regiment unit reached Poonch the situation had become very serious. The fall of the city was imminent. There was heavy firing from the enemy's side and the ammunition with the Dogra force was running out. The enemy was advancing unchecked from all sides. Except for an area of 4-5 miles near the city it had overrun the whole region. The Pakistanis had set up strong posts and were carrying on heavy firing.

As soon as Brig Pritam Singh reached Poonch he assessed the defence position. After he was briefed by Commander Kishan Singh of the State's forces he set up bases and began to push the enemy back. But the enemy's siege all round Poonch had cut his contact with the outside world, and there was no way outside help could reach by land. It could come only by air. But there was no airport at Poonch. For the solution of this problem Brig, Pritam Singh called a meeting of the Sangh's office-bearers,prominent citizens of Poonch and leaders of the thousands of displaced persons who had come from outside, and proposed the building of an air-strip. Everybody responded with enthusiasm and hundreds of young men set to work under Amrit Sagar's leadership. Hajuri Bagh was a big and level garden, so it was decided to make the strip there. Once the

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site was chosen a campaign was launched to clear it up. Trees were cut down and many government buildings razed to prepare a plain. Even old people worked shoulder to shoulder with Swayamsevaks and other young men. Master Moolraj Sharma, Sardar Kuber Singh, Master Beliram, Gyani Jiwan Singh, Gyani Thakur Singh, Babu Biharilal, Sardar Gopichand Contractor, Munshilal and others extended full co-operation. The work went on day and night, and the air-strip was ready in 72 hours. Planes began to land. Every day nearly 35 planes landed. To well-known airman Mehar Singh went the credit of being the first to land a Dakota in this dangerous zone.

When the first plane landed the citizens of Poonch were overjoyed. Shouting 'Bharat Mata ki Jai' they rushed in their thousands to welcome the plane and Brig. Pritam Singh profusely garlanded the pilot.

With the airlift of a strong Indian force the fortunes of war changed. The enemy took to his heels. The city of Poonch was saved in the nick of time, and its 40,000 citizens rescued from the jaws of death.

Reference: Manik Chandra Vajpayee (2002), Partition Days: The Fiery Saga of RSS

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35

ABOUT SKARDU

Sacrifice in Vain

The battle of Skardu is on the one hand a glorious saga of the bravery, sacrifice, discipline and patriotism of our Jawans and the local people, but on the other it is also the shameful story of the selfishness, narrow-mindedness, shamelessness, and treachery of our political leadership. In this area our brave Jawans kept fighting the enemy for six long months even when neglected and left to fend for themselves, while on the other hand our political leadership closed its eyes to the on-going struggle and was eager to embrace the enemy. While our Jawans were fighting the enemy against all odds and also dealing with traitors our political leadership behaved as if there was no war there at all, and what was going on was a cricket match between the two sides, in which victory or defeat did not have much importance, that is, it would not matter if Baltistan remained with India or went to Pakistan. The small force, with its limited resources, was writing a glorious chapter in military history by holding at bay the combined force of Jehadist Muslims and the traitorous Muslims of the State's army that had gone over to them, while the high command in Srinagar and the political leadership were emulating the fiddling Nero. The army officers, government employees and the Hindus of the place were sending messages after messages, telegrams after telegrams, but it made no difference to Srinagar or Jammu. Either there was no response to the pleas, or if there was a response at all, it was nothing more than empty assurances. The Jawans fighting the battle of life and death were praised and asked to stand fast, but no help was sent. Till the very end no help reached. The result was defeat. Apart from Kargil and a few villages the entire area

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of strategic importance was overrun by the enemy, and it is still in his control.

The great strategic importance of this region can be gauged from the fact that whenever there is a war between us and Pakistan the enemy's main objective is to cut our lines of communication on the Kargil-Leh road. It is a misfortune that this glorious saga of sacrifice, this satanic story of massacres, abductions and rapes was deliberately hidden from the people in those days, and is still being hidden today, lest the people realise the absolute incompetence of our leaders.

Till 1947 the borders of Jammu-Kashmir stretched upto Gilgit and Ladakh to the north of the Zozila and Burjil mountain ranges. This region borders on Afghanistan, Chinese Turkestan, Russian Turkestan, Tibet, and the North-West Frontier Province of Pakistan that was created just in 1947. Front this point of view the strategic importance of Gilgit can be easily realised. It was because of this importance that around 1930 the British had in a way forcibly taken away the administrative and military control of this region from the Kashmir Maharaja, making river Sindhu the line of control for him. But on India becoming independent in 1947 the British returned this region to the Maharaja, who appointed Brig. Ghansara Singh its Governor. In Gilgit the British had set up a para-military force called Gilgit Scouts as a complement to the regular forces for the security of the region. All three commanders of this force were pro-Pakistan. But ignoring this fact they were trusted. The force continued to be kept under their control. The result was that hardly had poor Ghansara Singh assumed office as Governor when, the moment Pakistan launched its indirect aggression, he and the Hindu and Sikh soldiers with him were arrested by the Gilgit Scouts on the orders of these pro-Pak British officers and the Pakistani flag hoisted on Gilgit. Thus due to short sightedness and incompetence on our side the strategically and internationally important Gilgit was handed over to the enemy more or less on a platter. Still we did not wake up. At that time Ladakh and Baltistan jointly formed a district of the Jammu-Kashmir State.

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Its headquarters were in the city of Skardu in Baltistan. After annexing Gilgit without resistance the enemy naturally began to eye the Skardu region.

The population of this region had only a nominal presence of Hindus-Sikhs. The Muslims were in large numbers. The Sikhs were traders and the Kashmiri Pandits mostly Government employees. From the beginning the Muslims lived in unity with the Hindus despite being in the majority. The whole area was divided into Jagirs (estates) and the Jagirdars (landlords) were called 'Raja'. They used to present gifts to the Kashmir Maharaja. But when Pakistan raised the cry of Jehad in this region the Muslims who had been living in peace with the Hindus began to thirst for their blood and became agents of Pakistan. Although Pakistan had launched its invasion of Jammu-Kashmir in October '47 by sending in infiltrators and Kabailis trouble in Gilgit began in December after the fall of Gilgit. Panic spread among the Hindus, as they were a very small minority. They began to pack to leave for Kargil. But Amar Nath, the Vazir (district head) did not allow them to go. He was afraid the exodus would bring the administration to a standstill. He wanted the region to be handed over to the army. He sent representations, messages and telegrams to this effect to Jammu and Srinagar a number of times. He contacted all he could think of—the Maharaja, the Maharani, Sheikh Abdullah, Begum as also Commanders of the army. But his distress calls went unheaded. By this time Sheikh Abdullah had formed an interm government.

The enemy started amassing a big force in Gilgit. They already had the Gilgit Scouts. Foreign mercenaries and officers were added to them. There were also British and American Officers.

Stray attacks had begun since January. But the first big attack was launched on the advance post of Skardu on the night of Feb. 8, Ninty Sikh soldiers advancing towards Skardu either died in battle or were massacred after being taken captives.

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On the evening of Feb. 10 about 600 Pakistanis launched an assault on Skardu. The Muslim officers and men of the sixth battalion of the State's army also joined the enemy, as they had become staunch Jehadists due to the Muslim League's propaganda. One of them shot district head Amar Nath by treachery. Then the devil dance of loot, arson and rape began. Even children were not spared. Jawans led by Lt. Col. Thapa fought bravely. The entire Hindu-Sikh population took refuge in the military camp. Now the Jawans had to fight the enemy on the one hand and care for the citizens on the other. Their resources were limited and the enemy had superior arms. Still they fought stoutly and prevented the enemy from marching on the camp.
In the month of March the enemy laid a seige to Skardu and limited the operational area of the force stationed there. Now it could not move to other areas. After this other regiments of the enemy began advancing towards Kargil.

Now the Skardu camp was in grave danger. The morale of the Jawans sagged, as there was no hope. They drank tea without sugar and milk, and smoked dry tea leaves. Local Muslims trader had completely turned their back to them. -They gave them nothing. Finally, the commander sent Srinagar, a threatening message—'if no help comes I shall leave -'With my men, leaving the people behind' This was when Srinagar a little. But it had more faith in the UN Commission than in the army. It kept depending on the commission. In these adverse circumstances the Jawans battled the enemy from April to July and prevented its advance towards the camp. But by this time both rations and ammunition ran out.

The young men of Skardu were extending all help to the army. But the enemy was on all sides, and fighting for a long time was not possible. The enemy's forces were increasing, while the Indian forces was depleting. And no help was coming from Srinagar. Those who were wounded were dying for want of medicines. Once a plane did drop a box of medical supplies, but the drugs had either passed the expiry date or were fake.

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On August 14, 1948 Skardu fell People ran in all directions. Many women committed suicide by jumping from windows to save their honour. Many others jumped into the Sindhu or took poison. On the morning of August 14 Lt. Col. Thapa sent a wireless message to Jammu saying —"Everything has ended. Don't send -'any help now."

Then he destroyed the wireless set and burnt confidential papers.

("Debacle of Baltistan" by Dr. Suraj Kumar Mahajan)

Thus the battle that commenced in January lasted for a 6 months and 3 days. Finally, when all hope was lost and no help came, Lt. Col. Sherjang Thäpa surrendered on August 14, 1948. The bravery and sacrifice of our Jawans proved in vain. Entire Baltistan went into the enemy's hands.

The air-strip at Skardu was good enough for planes carrying troops to land. The weather was also often clear. The way was open, but the wait for the planes never ended. It is necessary to give here some samples of the frantic appeals that Lt. Col. Thapa and the people of Skardu repeatedly made in this terrible period of six months:

On 14th January 1948, Hindu women of Skardu sent a telegram to Begum Abdullah, saying—'Mother, are we not your daughter? Are not our children as your children? What have you done, O Mother, to save our honour and our lives? Have you left us to our fate? Kindly send help by way of Air, otherwise our total devastation is definite.'

On 7th June the ladies sent a telegram to the Queen—'Save us and our children from genocide. With this request we seek shelter with our beloved queen. Kindly have mercy for us.'

Reference: Manik Chandra Vajpayee (2002), Partition Days: The Fiery Saga of RSS

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36

AN UNTOLD STORY OF PARTITION

The geo-political, religious and personal factors had made Jammu and Kashmir a apart in the five hundred and odd Princely States that dotted the map of united India before it was divided into India and Pakistan on August 15, 1947 by the British on the basis of two nation theory propounded by the Indian Muslim League and implicitly accepted by the Indian.

National Congress. With the exit of the British, all these states became independent theoretically. But almost all of them had acceded to India or Pakistan in terms of the Mountbatten Plan by August 15. Jammu & Kashmir was the only exception. Its ruler approached both India and Pakistan for a Stand Still Agreement. Pakistan readily agreed. But India procrastinated.

Pakistan formally came into existence on August 14, when its flag was raised at Karachi. Since, the post and telegraph offices in Jammu & Kashmir state came under Sialkot circle, Pak flag was hoisted on post offices of the state. This created the impression that the state had acceded to Pakistan. But raising of Pak flags came as a shock to the Hindus. Hindu students at Srinagar left their schools and colleges in protest and Pak flags were pulled down. The Maharaja's Government protested to Pakistan for what was described as a hasty action. This gave a clear indication that Maharaja Hari Singh had set his face against accesion of his state to Pakistan.

The announcement of the Radcliffe Award on August 16

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which gave part of Gurdaspur district lying to the East of the Ravi including the rail head of Pathankot, to India, removed a major hurdle in the way of accession of the state to India. This made rulers of Pakistan and pro-Pakistan elements in the state restive. They began to devise other means and methods for bringing the state into Pakistan.

Immediate concern of Pakistan, however, was N.W.F.P. which was under a Congress government led by Dr. Khan Sahib. Khan brothers and their followers were opposed to Pakistan. They had been put in a difficult situation by partition because N.W.F.P. had no direct link with India. A circuitous link with India could have been forged if Jammu & Kashmir had acceded to India. There were, therefore, some discrete for an earlyto Maharaja from some Pakhtoon leaders accession to India.

Pakistan therefore, wanted to tackle N.W.F.P. first. The decision about referendum in N.W.F.P. proved to help it because the choice given to the people was limited to accession to India or Pakistan. The demand third choice of independent Paktoonistan was not accepted. The Congress party led by the Khan brothers, therefore, boycotted the referendum. result the referendum's verdict went in favour of Pakistan. Thereafter the IQ1an Sahib Government at Peshawar was dismissed. A Muslim League government led by Abdul Qayyum Khan, a Pakistani of Kashmiri origin, was installed. The Khan brothers were put in jail. This acted as a damper on pro-lndia elements among Kashmiri Muslims and gave new impetus to pro-Pak elements.

Pakistan now decided to put concerted pressure on the Maharaja to accede to Pakistan. A three-fold plan was made for the purpose. It included economic blockade, stepping up of pro-Pak propaganda among Muslim population and officials in the state to prepare them for a stir from within and armed raids into the Western districts of the State from without. Side by side, preparations began to be made in tribal areas and districts adjoining Jammu & Kashmir state for a direct assault, if

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necessary, at the appointed time. Economic blockade was quite easy. Though contiguous to both the Dominions, all the main arteries of trade between the State and the outside world passed through Pakistan-Jammu was linked by rail and road with Sialkot and Srinagar was linked with Rawalpindi and Abottabad by all-weather motor able roads.

Most of the import and export trade of the State passed through these channels. All the necessities of life like salt, soap, sugar, cloth, food-grain, gasoline and kerosene oil meant for Kashmir State used to be stocked in the markets of Rawalpindi and Sialkot from where these were sent to Jammu and Kashmir in trucks. The Pakistan Government stopped the movement of these goods into the State.

The rail link with Jammu was cut-off. All the engines, bogies and the Muslim staff on the intermediary stations were removed to Pakistan leaving the Hindu staff to fend for itself. This naturally caused great hardship to the public and the State Government. Even the supplies for which payment had already been made were not delivered. Stoppage of the supply of the gasoline affected internal transport as well as military movements. The State Government protested against this breach of the Stand-Still agreement but to no avail. Even the trucks sent from Srinagar to fetch the supplies were confiscated by the Pakistani authorities.

Along with this economic blockade a virulent Pakistani propaganda offensive was launched. Parties of students of Islamia College Lahore and Aligarh Muslim University began to tour villages in the interior.

The Muslim officials of the State and the Muslim personnel of the State police and armed forces were completely won over. Adalat Khan, began to work actively for insurrect on from within. Others like Mian Abdul Rashid, Senior Superintendent of Police in Jammu, Ch. Faiz Ullah, District

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officer of Baramulla, and many others began to incite the civil population. Arms and ammunition began to be smuggled in large quantities from Pakistan into the State. Regular training in the use of firearms began to be given in the mosques at Jammu, Srinagar and elsewhere.

To disperse the State troops over large areas, raids were organized all along the western border especially in the Poonch area. The local Muslims were also incited to rise in rebellion in Poonch and Bagh areas.

These developments aroused the Maharaja out of his complacency. But it was too late. Thakur Janak Singh, on whom premiership had been thrust after Pt. Kak's dismissal, was too old and timid to initiate and carry out any policy at all. No Indian statesman wanted to risk his reputation by taking over the charge of the State as its Prime Minister at such a critical time. Continued absence of the National Conference leaders, then in jail, had left the field free for the Muslim Conference whose followers were aggressively pro-Pakistan.

[The then Prime Minister, R.C. Kak, assured Jinnah of his support for his goal. Kak tried his best to influence the Maharaja but as an Indian nationalist the Maharaja had understood the link-up between Jinnah and Kak and he cleverly and politely prevented Jinnah from coming to Srinagar. R.C. Kak did not likeall this. Now Pakistan used another missile. It imposed economic blockade and closed all the routes to Kashmir The postal and telecommunications services were disrupted. The supply of essential commodities was stopped. Pakistan violated the Standstill Agreement which R.C. Kak had got approved by it. The moment the veil was lifted from the pro-Pakistan feelings of R.C Kak, the Maharaja immediately sacked him and appointed Gen. Janak Singh as the interim Prime Minister.]

The developing situation compelled the Maharaja to release Sheikh Abdullah and his associates from jail so that they

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might counteract the growing influence of the Muslim Conference. Mr. Justice Mehar Chand Mahajan was persuaded to become the head of the State administration and help it in weathering the storm that had already gathered. He took over as Prime Minister on October 15, 1947.

The release of Sheikh Abdullah and the appointment of Mr. Mehar Chand Mahajan to the premiership Came as a shock to the Pakistanis, inside and outside the State. The leaders of Pakistan knew Mr. Mehar Chand Mahajan an too well to underestimate his strength and capacity. They did not want to give him time to prepare to meet projected Pak attack.

Meharchand Mahajan who enjoyed the confidence of Sardar Patel had been briefed before he left for Srinagar about the latest intelligence reports about Pak preparation for armed attack on the State to force the Maharaja to accede to Pakistan. He had, therefore, no misconception about the seriousness of the situation and intentions of Pakistan. Among thefirst things he did after assuming office was to speed up negotiations with Government of India for supply of arms and ammunitions for the state army.

Reference: from the book prime Minister & Chief Minister of J&K

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LETTER FROM THE MAHARAJA HARI SINGH TO SARDAR PATEL

Threatening to withdraw accession due to India's inability to protect Kashmir against Pakistan, apprehending India's reference of Kashmir to UNO might go in favour of Pakistan

THE PALACE JAMMU TAWI
31 January 1948

MY DEAR SARDAR PATEL,

Since your departure from Jammu I have been watching developments of events here and outside. News from New York (has) been very depressing. Several thoughts have been turning round my mind and I have decided to lay them before you for sympathetic consideration and friendly advice. I do not wish to take any step except with your agreement. The military situation as you know has been quite depressing since the arrival of Indian troops. Except the first gains in the Kashmir Valley there has been a debit balance throughout so far as achievements are concerned. The Indian troops armed in the Valley on 27 October. At that time we were in possession of about 3/4th of Poonch and the whole of Mirpur district. We had by then lost only small bits of Poonch and Muzaffarabad district. After the recapture of Baramulla and Uri; there has been a standstill. Two months have passed and the Indian troops are still at Uri. They attempted a venture to the town of Poonch and though they reached it was at

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great cost and the road was eventually lost. In the Poonch Jagir which was held by the State troops inch by inch we had to withdraw and eventually lost the whole of the Jagir except the town itself where about 40,000 people are besieged along with 4 battalions (3 State and 1 Indian). The situation is by no means satisfactory. I may mention that in the August disturbances with two battalions of the State troops we cleared the whole of the Poonch Jagir, peace was restored, the whole of the revenue was realised and the Administration was functioning normally. It was only in the second week of October that trouble again began in Poonch and our troops resisted it till about the end of December. But as no help was given they had eventually to fall back on Poonch town. If the Indian troops had ventured forward along with the State troops in Poonch, there would have been no difficulty in clearing that area of the raiders. I feel that the Indian military advisers take an exaggerated view about the difficulty of fighting in Poonch. I know some of that area myself and as a soldier can say that it is not difficult to clear Poonch of the raiders in the course of a fortnight or so if a strong military venture (with modern weapons and equipment) is undertaken, but they would have to act mercilessly and not leniently. In Mirpur district at the time when the Indian forces arrived we were still holding Mangla and our territory along the Jhelum Canal bank, but during the last two months we have lost Mangla, Alebeg, Gurdwara and the town of Mirpur, the town of Bhimber and the villages of Deva and Battala, the town of Rajouri and the whole of the area adjoining Chhamb and Noshera. Jhangar, a key-place both for Mirpur and Kotli, was lost after a defeat. These defeats have been a heavy blow to us and have also undermined the prestige of the Indian forces, Not a single town has so far been recovered by the Indian troops. The people judge an army from results and not from propaganda carried on about it. On the Kathua-Sialkot border attacks have intensified. Every day there is one raid or another. A number of villages have been burnt, people have been looted, women abducted and there have been killings also. The result is that all the border villages have been vacated and we have about 70,000 to 80,000 refugees in the city of Jammu. Crops, houses and valuables have been lost. Most of the

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people are also now vacating Jammu and its suburbs and are going to East Punjab. The situation, therefore, is worsening everyday. The name of the Indian Army is getting into the mud in spite of its brilliant record. I was a member of the War Cabinet. I travelled in war zones during the Great War. The name of the Indian Army was at its highest pitch and it pains me to see that the name of that Army has become a topic of every tongue during these days and it is daily losing prestige. Some people think that it is not the fault of the Army but the fault of the policy that is being followed; others feel that it is the fault of the commanders who are quite new to the job. People who would have had to wait for 10 to 15 years have become generals and have been put in charge of operations. Opinions differ, but the fact is that the name of the Army is in the mud. Sardar Baldev Singh was here for a day. He has heard from our politicians, members of the public and from me and my Prime Minister all that everyone had to say. He told me secretly that he had ordered certain actions to be taken. I told him that a mere order is nothing unless it is implemented. When you kindly spent two days with us here a number of decisions were taken and you gave instructions in certain matters. Since your departure nothing has been done and as I have said, we had more serious attacks. The effort on the part of Pakistan is gaining ground every day. Their morale owing to success is going up. They loot property, they take away cattle and women and when they go back to Pakistan they incite people and tell them how much loot and what benefits there are to raid our territory. On the other hand our morale is rapidly going down. So far as the people are concerned they are thoroughly demoralised and they start fleeing as soon as there is even a rumour of a raid. Even people living at distant places start fleeing when they see a fire five or six miles from their villages. So far as the Indian forces are concerned they do not leave their apportioned places to meet the raiders. There are no mobile columns to meet them. The work is left to a few Home Guards or to a platoon or so of very tired State forces. How can it be possible for them to engage 500 or 1000 raiders? Last time, you ordered guerillas to come into the State and take over this work. As far as I know no guerillas have arrived so far. Some Home

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Guards have been raised, but they have to look after their homes and they live in those very localities. Moreover, they are mostly not trained and cannot be expected to meet trained people. The work has mainly to be done by the Army and supplemented by the Home Guards and by organised guerillas. In the situation, therefore, my position as Ruler has become very anomalous and one of great perplexity. People in the State continue sending me telegrams and asking for help. Our civil administration is now in the hands of the National Conference and military operations in the hands of the Indian Union. I have no voice or power either on the civil or the military side. The State forces are under the Indian Army Commander. The result, therefore, is that I have just to watch the terrible situation in a helpless manner, to look on at the abduction of women, killing and loss of my people without power to give them any redress whatsoever. People continue to approach me every day and still think that it lies in my power to give them relief and redress. You will realise that my position is getting most awkward every day, so long as the military situation is adverse to us and refugees continue pouring into the city and daily raids from Pakistan keep on coming without any reply from us. Apart from the military situation the reference to the UNO and the proceedings that are hanging fire there are causing great uncertainty and perplexity not only to me but to every Hindu and Sikh in the State as well as to those who belong to the National Conference. The feeling is strongly gaining ground that the UN Security Council will take an adverse decision and that the State will eventually have to accede to Pakistan as a result of what the Security Council will decide. The Hindus and Sikhs have therefore started going away from the State as they anticipate that their fate as a result of the UNO decision will be the same as what happened in West Punjab and therefore it is much better to clear out of the State before that eventuality arises. The National Conference leaders also feel that they may eventually be let down by accepting the decision of the Security Council and that would be disastrous for them. My position in this matter is also precarious. You know I definitely acceded to the Indian Union with the idea that the Union will not let us down and the State would remain acceded to the Union

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and my position and that of my dynasty would remain secure. It was for this reason that I accepted the advice of the Indian Union in the matter of internal administration. If we have to go to Pakistan it was wholly unnecessary to accede to India or to mould the internal administration according to the desire of the Indian Union. I feel that the internal administration or the question of accession is wholly foreign to the jurisdiction of the Security Council. The Indian Union only referred a limited question to the Security Council, but the whole issue has been enlarged and not only the matter of aggression by one Dominion over the other is being considered by the Security Council but internal questions of the formation of Interim Government and the matter of accession have all been taken notice of by them. It was a wrong step in going on the limited issue to the Security Council and then agreeing to the enlargement of the agenda before that Council. As soon as the Council enlarged the agenda the Indian Union should have withdrawn the reference and ended the matter. In the situation described above a feeling comes to my mind as to the possible steps that I may take to make, so far as I am concerned, a clean breast of the situation. Sometimes I feel that I should withdraw the accession that I have made to the Indian Union. The Union only provisionally accepted the accession and if the Union cannot recover back our territory and is going eventually to agree to the decision of the Security Council which may result in handing us over to Pakistan then there is no point in sticking to the accession of the State to the Indian Union. For the time being it may be possible to have better terms from Pakistan, but that is immaterial because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the State: There is an alternative possible for me and that is to withdraw the accession and that may kill the reference to the UNO because the Indian Union will have no right to continue the proceedings before the Council if the accession is withdrawn. The result may be a return to the position the State held before the accession. The difficulty in that situation, however, will be that the Indian troops cannot be maintained in the State except as volunteers to help the State. I am prepared to take over command of my own forces along with

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the forces of the Indian Army as volunteers to help the State. I am prepared to lead my Army personally and to command, if the Indian Union agrees, also their troops. It would certainly hearten my people and the troops. I know my country much better than any of your generals will know it even during the next several months or years and I am prepared to take the venture boldly rather than merely keep on sitting here doing nothing. It is for you to consider whether the Indian Union will accept this in both the situations, whether after the withdrawal of the accession or even if the accession continues. I am tired of my present life and it is much better to die fighting than watch helplessly the heartbreaking misery of my people. So far as the internal political situation is concerned I have left the matter entirely to you personally. I am prepared to be a constitutional Ruler of the State and when a new constitution is framed I am quite willing to give responsible Government, but I am not prepared to go beyond the Mysore model because I am not satisfied that the leaders of the National Conference are for the time being very fit administrators or command the confidence of the Hindus and Sikhs and even of a large section of the Muslims. I must therefore keep certain reserved powers of which you are already aware and I must have a Dewan of my free choice as a member of the Cabinet and possibly as President. Another alternative that strikes me is that if I can do nothing I should leave the State (short of Abdication) and reside outside so that people do not think that I can do anything for them. For their grievances they can hold the civil administration responsible or the Indian forces who are in charge of the defence of the State. The responsibility will then clearly be either of the Indian Union or of the Administration of Sheikh Abdullah. If there is any criticism those responsible can have it and the responsibility for the suffering of the people will not be mine. Of course, I well anticipate that as people started saying when I left Kashmir only on Mr. Menon's advice that I had run away from Srinagar they will say that I have left them in their hour of misery, but it is no use remaining in a position where one can do nothing merely to avoid criticism. Of course, if I go out of the State I will have to take the public into confidence and tell them the reasons why I am going out. The third

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alternative in the situation that has arisen is that the Indian Dominion discharges its duty on the military side effectively and makes an all-out effort to stop the raids from Pakistan and to drive out of the State not only the raiders but also all rebels. This can only be done if the Dominion really fights. It has avoided fighting so far. 'Iino or three courageous battles will more or less end this situation, and if it is delayed there is bound to be a catastrophe. Pakistan is more organised against Kashmir than the Indian Dominion, and as soon as snow melts it will start attacking Kashmir on all sides and the province of Ladakh will also come into the hands of the enemy and the Valley and the whole border will be raided and even double the number of troops at present in Jammu and Kashmir will not be able to save the situation. What should have been done and achieved a month before can still be achieved during the next month, but if matters are delayed and if owing to the UNO reference and the attitude of compromise the situation remains at a standstill it would become terribly grave after the expiry of a month. Therefore, unless the Indian Union makes up its mind to fight fully and effectively, I may have to decide upon the two alternatives mentioned above. I have mentioned all that I have been thinking about to you and this may be treated as a secret and private letter. The object of writing this is to place all my feelings, right or wrong, foolish or wise, before you so that you may be in full possession of the situation and may be able to advise me properly. I am sending this letter by hand of a special messenger and I hope you will kindly send me an early reply so that I may be well guided in this hour of crisis and distress. With kindest regards and best wishes,

Yours sincerely,
HARI SINGH

Sardar Vallabhbhai Patel,
New Delhi.

Source: Sardar Patel's Correspondence

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UN INTERVENTION SOUGHT
January I, 1948

Indian Army was capable to liberate occupied territory which Kad acceded to the Union of India. The Indian Army which commanded from Delhi to stop while they were moving forward. India moved a petition in UN seeking intervention while one-third of J&K territory was still under the illegal occupation of the Pak Forces. Sardar Patel even Maharaja Hari Singh and many other central leaders were insisting that India should liberate its territory from Pak occupation and seek UN intervention. It was a blunder committed with knowledge of the consequences.

The Petition

"This letter of historic value though. This is the tragic tale of aggression against J&K by Pakistan which was taken lightly by the Indian leadership."

"I. Under Article 35 of the Charter of the United Nations, any Member may bring any situation whose continuance is likely to endanger the maintenance of international peace and security to the attention of the Security Council. Such a situation now exists between India and Pakistan owing to the aid which invaders, consisting of nationals of Pakistan and of tribesmen from the territory immediately adjoining Pakistan on the north-west, are drawing from Pakistan for Operations against Jammu and Kashmir, a State which has acceded to the Dominion of India

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and is part of India. The circumstances of accession, the activities of the invaders which led the Government of India to take military action against them, and the assistance which the attackers have received and are still receiving from Pakistan are explained later in this memorandum. The Government of India requests the Security Council to call upon Pakistan to put an end immediately to the giving of such assistance, which is an act of aggression against India. If Pakistan does not do so, the Government of India may be compelled, in self-defence, to enter Pakistan territory, in order to take military action against the invaders. The matter is, therefore, one of extreme urgency and calls for immediate action by the Security Council for avoiding a breach of international peace.

"2. From the middle of September 1947, the Government of India had received reports of the infiltration ofarmed raiders into the western parts of Jammu province of Jammu and Kashmir State; Jammu adjoins West Punjab, which is a part of the Dominion of Pakistan. These raiders had done a great deal of damage in that area and taken possession of part of the territory of the State. On 24th October, the Government of India heard ofa major raid from the Frontier Province of the Dominion of Pakistan into the Valley of Kashmir. Some two thousand or more fully armed and equipped men came in motor transport, crossed over to the territory of the State of Jammu and Kashmir, sacked the town of Muzaffrabad, killing many people and proceeded along the Jhelum Valley road towards Srinagar, the summer capital of Jammu and Kashmir State. Intermediate towns and villages were sacked and burnt, and many people killed. These raiders were stopped by Kashmir State troops near Uri, a town some fifty miles from Srinagar, for some time, but the invaders got around them and burnt the power house at Mahora, which supplied electricity to the whole of Kashmir.

"3. The position, on the morning of 26th October, was that these raiders had been held by Kashmir State troops and part of

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the civil population, who had been armed, at a town called Baramulla. Beyond Baramulla there was no major obstruction up to Srinagar. There was immediate danger of these raiders reaching Srinagar, destroying and massacring large numbers of people, both Hindus and Muslims. The State troops were spread out all over the State and most of them were deployed along the western border of Jammu province. They had been split up into small isolated groups and were incapable of offering effective resistance to the raiders. Most of the State officials had left the threatened areas and the civil administration had ceased to function. All that stood between Srinagar and the fate which had overtaken the places en route followed by the raiders was the determination of the inhabitants of Srinagar, of all communities and practically without arms, to defend themselves. At this time Srinagar had also a large population of Hindu and Sikh refugees who had fled there from West Punjab owing to communal disturbances in that area. There was little doubt that these refugees would be massacred if the raiders reached Srinagar.

"4. Immediately after the raids into Jammu and Kashmir State commenced, approaches were informally made to the Government of India for the acceptance of the accession of the State to the Indian Dominion. (It might be explained in parenthesis that Jammu and Kashmir from a State whose ruler, prior to the transfer of power by the United Kingdom to the Dominions of India and Pakistan, had been in treaty relations with the British Crown, which controlled its foreign relations ceased with the transfer of power on 15th August last, and Jammu and Kashmir like other States acquired the right to accede to either Dominion).

"5. Events moved with great rapidity, and the threat to the Valley of Kashmir became imminent. On 26th October, the ruler of the State, Maharaja Hari Singh, appealed urgently to the Government of India for military help. He also requested that the Jammu and Kashmir State should be allowed to accede to the

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Indian Dominion. The people in J&K strongly supported the move for the State's Accession to the Indian Dominion. The Government of India were thus approached not only officially by the State authorities, but also on behalf of the people of Kashmir, both for military aid and for the Accession of the State with the Union.

"6. The grave threat to the life and property of innocent people in the Kashmir valley and to the security of the state of Jammu and Kashmir that had developed as a result of the invasion of the valley demanded immediate decision by the Government of India on both the requests. It was imperative on account of the emergency that the responsibility for the defence of Jammu And Kashmir State should be taken over by a Government capable of discharging it. But, in order to avoid any possible suggestion that India had utili7ßd the state's immediate peril for her own political advantage, the Government of India made it clear that once the soil of the state had been cleared of the invader and normal conditions restored, its people would be free to decide their future by the recognized democratic methods of a plebiscite or referendum which, in order to ensure complete impartiality, might be held under international auspices.

"7. The Government of Indian felt it their duty to respond to the appeal for armed assistance because:

(1) They could not allow a neighbouring and friendly state to be compelled by force to determine either its internal affairs or its external relations;

"(2) The accession of Jammu and Kashmir State to the Dominion of India made India really responsible for the defence of the State.

"8. The intervention of the Government of India resulted in saving Srinagar. The raiders were driven back from Baramulla to Uri and are held there by Indian troops, Nearly 19,000 raiders face the Dominion forces in this area. Since operations in the

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Valley of Kashmir started, pressure by the raiders against the western and south-western border of Jammu and Kashmir State had been intensified. It is understood, however, that nearly 15,000 raiders are operating against this part of the State. State troops are besieged in certain areas. Incursions by the raiders into the State territory, involving murder, arson, loot, and the abduction of women continue. The booty is collected and carried over to the tribal areas to serve as an inducement to the further recruitment of tribesmen to the ranks of the raiders. In addition to those actively participating in the raid, tribesmen and others, estimated at 100,000 have been collected in different places in the districts of West Punjab bordering Jammu and Kashmir State, and many of them are receiving military training under Pakistani nationals, including officers of the Pakistan Army They are looked after in Pakistan territory, fed, clothed, armed and otherwise equipped, and transported to the territory of Jammu and Kashmir State with the help, direct and indirect, of Pakistani officials, both military and civil.

"9. As already stated the raiders who entered the Kashmir Valley in October came mainly from the tribal areas to the north-west of Pakistan and, in order to reach Kashmir, passed through Pakistan territory. The raids along the south-west border of the State, which had preceded the invasion of the valley proper, had actually been conducted from Pakistan territory, and Pakistan nationals had taken part in them. This process of transmission across Pakistan territory and utilization of that territory as a base of operations against Jammu and Kashmir State continues. Recently, military operations against the western and south-western borders of the State have been intensified, and the attackers consist of nationals of Pakistan as well as tribesmen. These invaders are armed with modern weapons, including mortars and medium machine-guns, wear the battle dress of regular soldiers and, in recent engagements, have fought in regular battle formation and are using the tactics of modern warfare. Man-pack wireless sets are in regular use and even

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mark V mines have been employed. For their transport the invaders have all along used motor vehicles. They are undoubtedly being trained and to some extent led by regular officers of the Pakistan Army. Their rations and other supplies are obtained from Pakistan territory.

"10. These facts point indisputably to the conclusion;

"(a) that the invaders are allowed transit across Pakistan territory;

"(b) that they are allowed to use Pakistan territory as a base of operations;

"(c) that they include Pakistan nationals;

"(d) that they draw much of their military equipment, transportation, and supplies (including petrol) from Pakistan; and

"(e) that Pakistan officers are training, guiding, and otherwise actively helping them.

"There is no source other than Pakistan from which they could obtain such quantities of modern military equipment, training or guidance. More than once, the Government of India had asked the Pakistan Government to deny to the invaders facilities which constitute an act of aggression and hostility against India, but without any response. The last occasion on which this request was-made was on 22nd December, when the Prime Minister of India handed over personally to the Prime Minister of Pakistan a letter in which the various forms of aid given by Pakistan to the invaders were briefly recounted and the Government of Pakistan were asked to put an end to such aid promptly; no reply to this letter has yet been received in spite of a telegraphic reminder sent on 26th December.

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"11. It should be clear from the foregoing recital that the Government of Pakistan are unwilling to stop the assistance in material and men which the invaders are receiving from Pakistan territory and from Pakistan nationals, including Pakistan Government personnel, both military and civil. This attitude is not only un-neutral, but constitutes active aggression against India, of which the State of Jammu and Kashmir forms a part.

"12. The Government of India have exerted persuasion and exercised patience to bring about a change in the attitude of Pakistan. But they have failed, and are in consequence confronted with a situation in which their defence of Jammu and Kashmir State is hampered and their measures to drive the invaders from the territory Of the State are greatly impeded by the support which the raiders derive from Pakistan. The invaders are still on the soil of Jammu and Kashmir and the inhabitants of the States are exposed to all the atrocities of which a barbarous foe is capable. The presence in large numbers of invaders in those portions of Pakistan territory, which adjoin parts Of Indian Territory other than Jammu and Kashmir State, is a menace to the rest of India. Indefinite continuance of the present operations prolongs the agony of the people of Jammu and Kashmir, is a drain on India's resources and a constant threat to the maintenance of peace between India and Pakistan. The Government of India have no option, therefore, but to take more effective military action in order to rid J&K State of the invader.

"13. In order that the objective of expelling the invader from Indian Territory and preventing him from launching attacks should be quickly achieved, Indian troops would have to enter Pakistan territory; only thus could the invader be denied the use of bases and cut off from his sources of supplies and reinforcements in Pakistan. Since the aid which the invaders are receiving from Pakistan is an act of aggression against India, the Government of India are entitled, under international law, to

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send their armed forces across Pakistan territory for dealing effectively with the invaders. However, as such action might involve armed conflict with Pakistan, the Government of India, ever anxious to proceed according to the principles and aims of the Charter of the United Nations, desire to report the situation to the Security Council under Article 35 of the Charter. They feel justified in requesting the Security Council to ask the Government of Pakistan.

"(1) to prevent Pakistan Government personnel, military and civil from participating or assisting in the invasion of Jammu and Kashmir State;

"(2) to call upon other Pakistani nationals to desist from taking any part in the fighting in Jammu and Kashmir State;

"(3) to deny to the invaders: (a) access to any use of its territory for operations against Kashmir, (b) military and other supplies, (c) all other kinds of aid that might tend to prolong the present struggle.

"14. The Government of India would stress the special urgency of the Security Council taking immediate action on their request. They desire to add that military operations in the invaded areas have, in the past few days, been developing so rapidly that they must, in self- defence, reserve to themselves the freedom to take, at any time when it may become necessary, such military action as they may consider the situation requires.

"15. The Government of India deeply regrets that a serious crisis should have been reached in their relation with Pakistan. Not only is Pakistan a neighbour but, in spite of the recent separation, India and Pakistan have many ties and many common interests. India desires nothing more earnestly than to live with her neighbour-state on terms of close and lasting friendship. Peace is to the interest of both States; indeed to the interests of the world. The Government of India's approach to the Security Council is

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inspired by the sincere hope that, through the prompt action of the Council, peace may be preserved."

The letter concluded the Security Council under the dictates of Anglo-American Bloc (China was represented by Farmosa, an American stooge) made India to dance to their tunes. It was 'USSR' direct intervention through its veto which avoided a 'disaster' that would have rocked entire South East Asia. Krishna Menon's logistic and factual speeches on the floors of the General Assembly of UN turned the table against Pak' bogus claims. This has been a continuing blunder of Nehru's era which needs to be rectified. It is time that India should withdraw its complaint from the Security Council and settle the status of 'LoC' with Pakistan in the light of the prevailing factors and changing cultural climate of POK.

Reference: From the book " a history of Jammu" by Parvez Dewn.

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Regime of
Sheikh Mohd Abdullah

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EXCERPTS OF THE SPEECH BY SHEIKH MOHAMMAD ABDULLAH IN THE UN SECURITY COUNCIL

MEETING NO. 241, HELD ON 5TH FEBRUARY 1948

I have heard with patience, attention and respect the statements made by the representatives of Pakistan and members of the Security Council, as well as the statements made on various occasions by the members of, my own delegation. I have heard patiently to the debate in the Security Council, but I feel that I am rather confused. After all, what is the point in dispute? The point in dispute is not that the sovereignty of the Prince is in question, as the representative of Pakistan stated yesterday.

The subject of the dispute before the Security Council is not the malad ministration of the Princely State of Kashmir....the dispute revolves around the fact that Kashmir acceded legally and constitutionally to the Dominion of India... the tribesmen across the border have poured into my country. They have been helped and are being helped by the Pakistan. Government, with the result that there is the possibility of a greater conflagration between India and Pakistan. But (the representative of Pakistan) completely denied that any support was being given by the Government of Pakistan to either tribesman of those who are in revolt within the state against the constituted authority.....

But then this simple issue has been confused... Today Pakistan has become the champion of our liberty. I know very

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well that in 1946, when I raised the cry of "Quit Kashmir," the leader of the Pakistan Government, who is the Governor-General now. Mr Mohammad Ali Jinnah opposed my Government, declaring that this movement was a movement of a few renegades and that Muslims as such had nothing to do with the movement.

The Muslim Conference, which has been talked about so much, opposed my movement and declared its loyalty to the Prince. The representative of Pakistan now says that Sheikh Abdullah, once the supporter of "Quit Kashmir," has joined hands with the Maharaja of Kashmir side.....But the State of Jammu and Kashmir, and its people, kept calm....

Why was that so? It was because I and my organization never believed in the formula that Muslims and Hindus form separate nations, we do not believe in the two-nation theory, nor in communal hatred or communalism itself. We believed that religion had no place in politics. Therefore, when we launched our movement of "Quit Kashmir" it was not only Muslims who suffered, but our Hindu and Sikh comrades as well.

The situation was worsening day by day and the minority in our State was feeling very nervous. As a result tremendous pressure was brought to bear upon the state administration to release me and my colleagues The situation outside demanded the release of workers of National Conference, along with its leader, and we were accordingly set free. Immediately we were liberated from the prison we were faced with the important questions of whether Kashmir should accede to Pakistan, accede to India, or remain independent we could not decide this all important issue before achieving our own liberation, and our salgon became "Freedom before accession." Some friends from Pakistan met me in Srinagar. I have a heart-to discussion with them and explained my point of view....

While I was engaged in these conversations and

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negotiations with friends from Pakistan, I sent one of my colleagus to Lahore, where he met the Prime Minister of Pakistan, Mr Liaquat Ali Khan, and other high dignitaries of the west Punjab Government. He placed the same placed the same point of view before them and requested that they should allow us time to consider this vital questions, first helping us to achieve our liberation instead of forcing us to declare our decision one way or the other. Them, one fine morning while these negotiations were proceeding. I received news that a full flaged attack had been carried out by the raiders on Muzaffarabad, frontier town in the Kashmir Province....

While the raiders came to our land, massacred thousands of people- mostly Hindus and Sikhs, but Muslim too.. abducted thousands of girls, Hindus Sikhs and Muslims a like looted our property and almost reached the gates of our summer capital, Srinagar, the result was that the civil, military and police administration failed. The Maharaja, in the dead of the night, left the capital along with his courtiers, and the result was absolute panic. There was no one to take over control. In that hour of crisis the National Conference came forward with 10,000 volunteers and took over the administration of the country. They started guarding the banks, the offices and houses of every person in the capital. This is the manner in which the administration changed hands. We were de facto in charge of the administration. The Maharaja, later on, gave it a legal form....

I was explaining how the dispute arose - how Pakistan wanted to force this position of slavery upon us. Pakistan had no interest in our liberation or it would not have opposed our freedom movement. Pakistan would have supported US when thousands of my countrymen 'were behind bars and hundreds were shot to death. The Pakistani leaders and Pakistani papers were heaping abuse upon the people of Kashmir who' were suffering these tortures.

Then, suddenly Pakistan comes before the bar of the world as the champion of liberty of the people of Jammu and

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Kashmir....

I had thought all along that the world had got rid of . Hitlers and Goebbels, but, from what has happened and what is happening in my poor country, 1 am convinced that; they have only transmigrated their souls into Pakistan.

If Pakistan comes forward and says, "We question the legality of the accession," I am prepared to discuss whether or not the accession of Jammu and Kashmir to India was legal. However,

Now they saw "We want a plebiscite; we want to obtain the free and unfettered opinion of the people of Kashmir. There should be no pressure exerted on the people and they should make the free choice as to the State to which they wish to accede." Not only is, this the offer that was made by the people of Kashmir to Pakistan long, long ago, but it is the offer made by Prime Minister of India at a time when, I think, he had not the slightest need for making it, as Kashmir was in distress.

We realized that Pakistan would not allow us any time, that we had either to suffer the fate of our kith and kin of Muzaffarabad, Baramulla, Srinagar and other towns and villages, or to seek help from some outside authority.

Under those circumstances, both the Maharaja and the people of Kashmir requested the Government of India to accept our accession, The Government of India could easily have accepted the accession and could have said, "All right, we accept your accession and we shall render this help." There was no necessity for the Prime Minister of India to add the proviso, when accepting the accession that "India does not want to take advantage of the difficult situation in Kashmir. We will accept this accession because, without Kashmir's acceding to the Indian dominion, we are not in a position to render any military help. But once the country is free from the raiders, marauders and

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looters, this accession will be subject to ratification by the people." That was the offer made by the Prime Minister of India. That was the same offer which was made by the people of Kashmir to the Government of Pakistan, but it was refused because at that time Pakistan felt that it could, within a week, conquer the entire Jammu and Kashmir State and then place fait accompali before the world, just as happened some time ago in Europe.....

After all, we have been discussing the situation in Kashmir. I should say we have been playing the drama of Hamlet without the Prince of Denmark...

The Security Council should not confuse the issue. The question is not that we want internal freedom,. the question is not how the Maharaja got his State, or whether or not he is sovereign. These points are not before the Security Council. Whether Kashmir has lawfully acceded to India -complaints on that score have been brought before the Security Council on behalf of Pakistan -is not the point at issue. If that were the point at issue then we should discuss that subject. we should prove before the Security Council that Kashmir and the people of Kashmir have lawfully and constitutionally acceded to the Dominionm of India, and Pakistan has no right to question that accession. However, that is not the discussion before the Security Council.....

The Security Council must send a commission to the spot to see whether the complaint brought before the Security Council is valid or invalid... Therefore, somebody must go to the spot. Then at that time it would be for us to prove that the charges we have brought before the Security Council are correct to the last word. That is only help, we want, and no other help.

Reference: from the book " A Saga of sacrifices ....Praja Parishad movement in Jammu & Kashmir.

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ABDULLAH REPLACED MAHAJAN
March 5, 1948

On March 5, 1948, the Maharaja announced the formation of an interim popular Government with Sheikh Mohammad Abdullah as the Prime Minister to address the Nehru wish.

"In accordance with the traditions of my dynasty I have, from time to time, provided for increasing association of my people with the administration of the State with the object of realizing the goal of full Responsible Government at as early a date as possible and in pursuance of that object have, by the Jammu and Kashmir Constitution Act of 1996 (xiv of 1996) established a Constitutional Government with a Council of Ministers, a Legislature with a majority of elected members and an independent judiciary.

I have noted with gratification and pride the progress so far made and the legitimate desire of my people for the immediate establishment of a fully democratic constitution based on adult franchise with a hereditary Ruler from my dynasty as the Constitutional Head of an Executive responsible to the legislature;

I have already appointed the popular leader of my people Sheikh Mohammad Abdullah as the Head of the Emergency Administration;

It is now my desire to replace the Emergency Administration by a Popular Interim Government and to

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provide for its powers, duties and functions, pending the formation ofa fully democratic Constitution.

I accordingly hereby ordain as follows;

My Council of Ministers shall consist of the Prime Minister and such other Ministers as may be appointed on the advice of the Prime Minister. I have by Royal Warrant appointed Sheikh Mohammad Abdullah as the Prime Minister with effect from today."

S heikh started a campaign of vilification against the Maharaja, Sheikh managed to 'woo some disgruntled elements in Jammu province. The people who joined the Sheikh included Pt. Girdhari Lal Dogra of Hiranagar, Pt. Baiz Nath of Chenani, Pt. Motilal Baigra of Udhampur, Pt. Bhagat Ram, Advocate of Jammu whereas Jammu Muslims did not join the Sheikh bandwagon.

The prominent Muslim leaders of Jammu who enjoyed a status not less than the Sheikh namely Choudhary Ghulam Abbad were put in jail and got him deported in exchange of Brig. Ghansara Singh (Governor of Gilgit) to Pakistan though Choudhary Abbas was resident of Mr. KH. Khursheed, who was close to Mr. Jinnah and a prominent state leader, was also pushed to Pakistan. Later he was killed in a road accident in Pakistan. Maulana Massaudi, a foremost Muslim leader of Kashmir was sidelined by the Sheikh was killed in 1992 by the terrorists.

Sheikh started a tirade against the Maharaja a vilification campaign with the patronage of Nehru. He wanted Maharaja and the Maharani to quit not only Kashmir but the State. Both Nehru and Abdullah wanted all the flesh from the Maharaja's heart. Nehru vetoed every move of Sardar Vallabhbhai Patel and other Indian leaders which favoured Maharaja's stay in J&K.

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Even Maharani was forced out of the state. She had to stay in Kangra for the rest of her life. The Maharaja left the State on June 9, 1948 for Delhi and stayed there till June 20, 1948. Maharaja tried to persuade the Dominion Horne Minister Sardar Vallabhbhai Patel to intervene for the liberation of occupied areas of J&K which were under the illegal occupation of Pakistan. At times the Maharaja even threatened to reconsider his decision for having signed the Instrument of Accession. He made a daring offer to lead the Indian Army in J&K for the liberation of the occupied territories of his state.

The Maharaja abdicated in favour of Yuvraj Karan Singh and moved to Dehradun. History has been revealed that has been changed the Dogra Maharaja in his words contained in his letters addressed to the President of India and Sardar Patel. These letters have not ever been noticed by general public, the government of India or by the Kashmiri Governors.

Maharaja to Sardar Patel
January 31, 1948

Oppressed and suppressed by the prevailing circumstances, the Maharaja wrote to the Dominion Home Minister, Sardar Vallabhbhai Patel on 31st January 1948 which remained hidden from pages of history. Thus wrote the Maharaja in anguish;

"The military situation as you know has been quite depressing since the arrival of the Indian troops. Except the first gains in the Kashmir Valley there has been a debt balance throughout so far as achievements are concerned.

"Apart from the military situation, the reference to the UNO and the proceedings that are hanging fire there are causing great uncertainty and perplexity not only to me but to every Hindu and Sikh in the State as well as to those who belong to the National Conference. The feeling is strongly gaining ground that

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the UN Security Council will take an adverse decision and that the State will eventually have to accede to Pakistan as a result of what the Security Council will decide. The Hindus and Sikhs have, therefore, started going away from the State, as they anticipate that the result of the UNO decision will be the same what happened in West Punjab and therefore it is much better to clear out of the State before that eventuality arises. The National Conference leaders also feel that they may eventually be let down by accepting the decision of the Security Council and what would be disastrous for them.

"In the situation described above, a feeling comes to my mind as to the possible steps that I may take to make, so far as I am concerned, a clean state of the situation. Sometimes I feel that I should withdraw the accession that I have made to the Indian Union. The *Union* provisionally accepted the accession and if the Union cannot recover back our territory and is going eventually to agree to the decision of the Security Council which would result in handing us over to Pakistan then there is no point in sticking to the accession of the State to the Indian Union. For the time being, it may be possible to have better terms from Pakistan, but that is immaterial, because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the State. There is an alternative possible for me and that is to withdraw the accession and that may kill the reference to the UNO, because the Indian Union will have no right to continue the proceedings before the Council, if the accession is withdrawn. The result may be return to the position the State held before the accession. The difficulty in that situation however, will be that the Indian troops.... have to work as volunteers to help the State.

"Another alternative that strikes me is that if I can do nothing, I should leave the State (short of abdication) and reside outside so that people do not think that I can do anything for them. For their grievances they can hold the civil administration responsible or the Indian forces who are in charge of the defence

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of the State. The responsibility will then clearly be either the Indian Union or of the administration of Sheikh Abdullah. If there is any criticism, those responsible can have it and the responsibility for the suffering of the people will not be mine. Of course, I well anticipate that, as people started saying when I left Kashmir only on Mr. Menon's advice that I had run away from Srinagar, they will say that I have left them in their hour of misery, but it is no use remaining in a position where one can do nothing merely to avoid criticism. Of course, if I go out of the State, I will have to take the public into confidence and tell them the reasons why I am going out."

"The Indian troops arrived in the Valley on 27th October, at that time we were in possession of about 3/4th of Poonch and the whole of the Mirpur district we had by then lost only small bits of Poonch and Muzaffrabad district. After the recapture of Baramulla and Uri, there has been a standstill. Two months have passed and the Indian troops are still at Uri. They attempted to venture to the town of Poonch and though they reached it, it was at a great cost and the road was eventually lost. In the Poonch Jagir, which was held by the state troops inch by inch, we had to withdraw and eventually lost the whole of the Jagir except the town itself, where about 40,000 people are besieged along with 4 battalions (3 State and I Indian). The situation is by no means satisfactory. I may mention that in the August disturbances, with two battalions of the state troops we cleared the whole of Poonch Jagir, peace was restored, the whole of the revenue was realized and the administration was functioning normally It was only in the second week of October that trouble again began in Poonch and our troops resisted it till about the end of December. But as no help was given, they had eventually to fall back on Poonch town..."Signed by Maharaja Hari Singh on January 31, 1948.

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Conspiracies in Delhi

The conspiracies in Delhi and Srinagar grew stronger day by day. It was Sheikh Abdullah started a similar campaign against not only the Maharaja but the Maharani also seeking their expulsion from the state. Dr. Karan Singh was under medical treatment in USA, may be 17. Mahatma Gandhi went to Srinagar to advice Maharaja to go on brief vacation and relieve Kak. Congress President, Mr. Kripalani had made similar advice earlier. Nehru was adamant to ensure exit of Maharaja Hari Singh and the Maharani too. The Sheikh and Nehru wanted the last drop of blood from Maharaja's heart. How much patience, perseverance, farsightedness the Maharaja must have accelerating can be read from the contents of his letters to the Sardar Patel, Pt. Nehru and an exercise one cannot imagine.

Reference: from the book " A Saga of sacrifices ....Praja Parishad movement in Jammu & Kashmir.

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LAND REFORMS IN KASHMIR

In April 1949, the State Government appointed a land reforms committee to prepare a plan for the abolition of big landed estates and transfer of the land to the tillers. Before the report of the standing committee could be submitted to the administration, Sheikh Abdullah suo motu announced drastic and sweeping reforms ignoring the Maharaja who was the head of the State. This was intentionally done to deprive the mostly Hindu Population of the State who held land in large numbers as landlords. The number of such landlords exceeded twelve thousand. Though some of them held the land in feudalistic conditions vet many were physically disabled widows, or not settled in lives. All these people were deprived to hold not more than 182 kanals of land and rest was taken by the State without paying any compensation. The jurisdiction of the Privy Council (the predecessor of the Supreme Court in Indian dominion) did not extend to the State even after accession and thus, the landlords were left to rub their heels in the cool. The Big Landed Estates Abolition Act was got passed in 1950 by Sheikh Abdullah by an administrative order issued in the name of Yuvraj Karan Singh in whose favour Maharaja Hari Singh had passed the crown at his forced abdication of the State in 1949. At that time, J&K Constitution Act of 1939 was in force which did not provide writ remedy in favour of a native of the State. The aggrieved landlords could not challenge this Act in a Constitutional Court because the writ jurisdiction of the Apex Court (Supreme Court) was extended to the State in 1954 and then Fundamental Rights guaranteed under Chapter Ill of the Indian Constitution were made applicable with certain amendments. The State High

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Court under Constitution Act of 1939 had no writ jurisdiction. The new Constitution of J&K State came into force on 26 January 1957 and Section 103 of that Constitution has given the power to the High Court of writ jurisdiction. At that time' Article I and 370 along with other some Articles as specified in the constitution Application order dated 26 January 1950 were made applicable in the State. After that, there was Delhi Agreement of 1952 which is discussed fully herein after along with order dated 26 January 1950 and attached as Appendixes 7 and 8, respectively. (Note: Vide SRO 1610 dated 14 May 1954, the President of "India made order CO 48 by virtue of which the provisions of Articles dealing with Fundamental Rights and other Articles were made applicable. This order along with other orders which were subsequently passed relating to the application of constitutional provisions has been discussed in detail in Appendix 9). This appeared to be the first act of brazen disloyalty, breach of trust committed by Sheikh .Abdullah towards Maharaja Hari Singh as well as to the Union Government of India. The lands owned or held by or on behalf of the Maharaja were also taken away in excess of the prescribed limits without making any compensation. This is a unique and unprecedented example of a State act in the Indian Union when the Executive and Political State authority was used to deprive the citizens in one part of its territory depriving them the benefits of their Fundamental Rights regarding right to hold property and right to livelihood. This is also an example of usurping the sovereign power of the Legislature by an Executive Order against the provisions of the State Constitution of 1939 which then had application and Maharaja was then the constitutional head and no executive order could be passed without his signatures. It would be for the future enlightened generations to judge whether the rule in J&K State was democratic or despotic!!

Sheikh Abdullah wanted to make some dramatic announcements on 13th July 1950 as he stated this day to be celebrated as a National Day in order to gain maximum political mileage and a month before he sent to the Regent for signatures two proposals regarding abolition of Jagirdari (the feudal land-

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grant system) and of landlordism, without any compensation at all. The Regent seemed to have understood the game plan of Sheikh Abdullah as being against the interests of non- Muslim population and particularly Dogras who had not supported him during his movement and correspondingly given benefit to win the sympathy of co-religionists. Vishnu Kant Sahay, Secretary for Kashmir.

Affairs of Central Government had come to Srinagar on a visit and the Regent referred the matter to him for obtaining the opinion of Government of India and the Regent had accordingly informed Sheikh Abdullah about this course of action being taken by him. This enraged "It appears that the Sheikh Abdullah and he wrote to the Regent, Obvious limitations of the constitutional head of the State have escaped the attention of Yuvraj. The action taken by Yuvraj is entirely opposed to the spirit of the Proclamation dated 5th March 1948 under which the present government was set up. It has all along been understood that the ruler or his Regent will act strictly as the constitutional of the State and it is on this distinct understanding that the present government hold their office. He went on, significantly, to add: It is also clear that the subjects in regard to which the submissions were made did not relate to a matter in which the State had acceded to dominion of India and, therefore, in the existing constitutional set up the Government of India has no jurisdiction in this Regent received the drafted reply from the Central Government by hand and in this behalf the Central Government had also consulted Gopalaswami Ayyangar who had served as Prime Minister of the State under Maharaja Hari Singh and dealt with Sheikh Abdullah and knew Sheikh's mental makeup. At this time, Ayyangar was a Central Minister in the cabinet of Pandit Nehru and therefore wanted that such an illegal piece of legislation as an Act which was being passed in the absence of Legislature in the State would be declared null and void by the Centre. Pandit Nehru did not permit it and Sheikh Abdullah Succeeded in enacting this Draconian law. The Regent had written to Sheikh Abdullah with the draft which was appended to this Communication and the communication is reproduced, "I

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appreciate the constitutional position under the Proclamation of March 5, 1948. Nonetheless it seems to me that these very far reaching proposals, which will drastically affect the economy of very large sections of the population and for the sanctioning of which there is no properly functioning legislature at present, should, in the existing delicate political situation, be first examined in concert with the Government of India, and that we should not rush this legislation without satisfying that government."

Note: Source of information reproduced above is from Dr Karan Singh's Autobiography.

Despite this, on the next day, Sheikh Abdullah made a long speech at Lal Chowk in Srinagar in which he went ahead and announced the measures, despite the fact that he had been called to Delhi to discuss the matter. The measures were not legal without the signature of the Regent. This was the first of the series of differences of approach between Sheikh Abdullah and the Government of India that grew the next few years and culminated in his arrest in August 1953 subsequent trial in the Court of Law. Ultimately sheikh Abdullah grudgingly made some amendments in the Act on the advice of New Delhi. It must be remembered that at that time, the Kashmir Issue was still alive one at the United Nations, where Jawaharlal's overriding idealism and sense of fair play had made the whole matter embarrassingly complicated for India. The aggrieved inhabitants of the State bad no remedy available at that time except for rising in revolt. Abdullah by that time had also started showing discrimination in giving employment in government services to the inhabitants of the Kashmir region at the cost of the interests of the inhabitants of Jammu region and one glaring example was his lopsided recruitment from Kashmir Valley in J&K Militia. All these factors of victimization neglect and discrimination led to agitation by a nationalist party formed in Jammu by name of 'Praja Parishad'.

Reference: Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi.

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TERMINATION OF MONARCHY

J&K became integral part of India. This made the integration complete as the Maharaja's stipulated conditions came to an end. Moment Maharaja's monarchy was terminated. Interestingly a century old monarchy was abolished through a resolution of the nominated Constituent Assembly on August 20, 1952. Mr. D.P. Dhar was used to pilot the resolution which suffered from many legal discrepancies and lacuna. No permission was taken from the Raj Pramukh, the Regent of the State, Yuvraj Karan Singh though. The resolution was implemented without exercising the principles of the natural justice. The Head of the State never signed it. Anyhow, with the end of Monarch in 1952, all the powers retained by the ruler came to an end. The integration with the Union became absolute.

After effects of Termination of Monarchy

The Resolution adopted by an unelected Constituent Assembly terminating the well-recognized Monarchy suffered from several illegalities. The National Conference leaders stuck to their guns holding it to be just and appropriate. The universal opinion is that the Monarchy ended with the passing of the resolution on 20th August, 1952. With the termination of Monarchy, all the conditions attached by the Maharaja came to an end. The 'Accession' was legitimized as integration. This led the Constituent Assembly to insert Section-3 in the Constitution of J&K affirming that, "J&K is and shall be an integral part of India." With the imposition of Presidential Order, 1954 and later

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the word 'Maharaja' was replaced by 'Governor' in Article 370 which put a seal of full integration of J&K with the rest of the country. This legal position is supported by Article 1, First Schedule with Item 15.

Reference: from the book " A Saga of sacrifices ....Praja Parishad movement in Jammu & Kashmir.

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PRAJA PARISHAD AND ITS AGITATION

Due to an ideal people-centric approach of the Dogra rulers In Jammu & Kashmir, the people in Jammu never thought of questioning the King's authority on any issue. Maharaja Hari Singh always took care of the public welfare and gave priority to social reforms. Therefore, no political movement was ever initiated in Jammu. On the other hand, some agitations were going on in Kashmir valley at the behest of communal Muslims supported by British. Sheikh Abdullah had grown as a leader of this anti-Maharaja movement. He had earned the confidence of the Congress Party and also of Jawaharlal Nehru.

Thus, Abdullah had established himself as a prominent Muslim leader in Kashmir valley long before Independence. He was instrumental in instigating people against the Maharaja Hafi Singh of Kashmir. He had earned the support of both Congress and British Government. So, when it came to handing over the power after the accession, Sheikh Abdullah was present in Kashmir valley as a public leader, while in Jammu, Gilgit, Baltistan and Ladakh there was no leader of that stature. Had there been someone, either he would have got the seat of power or he would have shared power with Sheikh Abdullah. The then Prime Minister of the state Shri Mehar Chand Mahajan has made a reference to this at one place. Thus Jawaharlal Nehru entrusted Sheikh the rule of Jammu & Kashmir, as chief of the interim government.

"As soon as Sheikh came to power, he began harassment

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of his political opponents in the stale. People of Jammu, considered to be the supporters of the Maharaja, were especially targeted. This made people of Jammu to consider the formation of a political organisation, "Vhus Praja Parishad movement was started with the objective of thwarting Sheikh Abdulla's design to establish Jammu & Kashmir as a separate and independent state. Pt Prem Nath Dogra, who was formerly the Deputy Commissioner of Muzaffarabad led it. Shri Balraj Madhok also became a pillar of this organisation. Shri Hari Vajeer and Shri Hansraj Sharma were made its president and secretary respectively.

The organisational units of Praja Parishad spread throughout the state. Several efforts were made by its leaders to solve the problems, but to no avail. Under these circumstances, the Praja Parishad leaders met Sheikh Abdulla in the state and Home Minister Sardar Patel in Delhi, apprising them of the frightening situation growing in Jammu & Kashmir. Instead, Abdullah became more revengeful. He not only banished Shri Balraj Madhok and his family from the state but also lodged Pt Prem Nath Dogra in Jail.

Having served jail for two terms, Prem Nath Dogra met the then President of India Dr. Rajendra Prasad in Delhi on June 19, 1952 and handed over a memorandum to him. He said in the memorandum, "It is natural that being the children of Bharat we oppose all the actions or steps which segregate us from our motherland and since attempts are being made to segregate us from India we declare that we shall not accept any such situation, whether small or big. We want that the entire Indian Constitution be implemented in Jammu & Kashmir also and we are safeguarded by the Supreme Court, like any other Indian we get all the fundamental rights, the tri-colour is accepted in our state also like in any other Indian state, we do not accept the red flag prepared by Sheikh Abdullah, we want that we be governed under the same laws which are passed by the Indian Parliament. We feel it our patriotic, duty to oppose tooth and nail any effort

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which hinders the complete integration of Jammu & Kashmir into India."

Meanwhile, the elections of Constituent Assembly Were held in Jammu & Kashmir for which 44 candidates of Praja Parishad filed their nomination papers. Shockingly, all these nominations were rejected and, on the other hand, all the 75 candidates of Abdullah's party National Conference were declared elected. This was a sheer violation of law and justice.

Praja Parishad Movement

The Delhi Accord signed under pressure of Sheikh Abdullah and the declaration of 'Sadar-e-Riyasat' after changing the name of state chief declared by the President of India were some of the developments, which led to an atmosphere of suspicion and uncertainty. With this began the decisive satyagrah of Praja Parishad followed by still greater atrocities and persecution of its workers and leaders. On November 23, 1952, while addressing a public meeting in Jammu, Prem Nath Dogra was arrested by police and sent to jail. It intensified the agitation in entire Jammu region. Majority of people took to streets. All the suppression and persecution by the administration and police could not stop them. The movement continued till March 5, 1953 against Sheikh's misrule.

The protest kept rising, and so did the suppression by Sheikh's militia. On Sheikh's direction atrocities were being committed on Praja Parishad activists and supporters. On one occasion, the Deputy Commissioner forced Subedar Basant Singh to accept the membership of National Conference and resign from Praja Parishad, which he flatly refused. Consequently, he was sent to jail. Lathicharge, teargas and firing on the non-violent protesters were order of the day. Leaving the arrested protestors at snow bound hills without warm clothes, forcing them to stand in the cold water of Ranvir canal and confiscating the licences, permits, pensions and even properties

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of the relatives of Praja Parishad workers were all common. By and large the Sheikh Abdullah regime used all methods to suppress the Praja Parishad movement, which was gaining momentum day-by- day.

On December 14, 1952 the Praja Parishad activist Mela Ram was killed in police firing when he was trying to unfurl the National Flag tri-colour at the Collect orate Building in Chhamb. The protesters succeeded in unfurling the national flag, even though the police kept on firing on them. When the agitators were trying to carry the dead-body of Mela Ram, the police again resorted to firing, which killed another five protesters and injured several others. More than 250 persons were injured in Bhaderwah alone, which included women workers as well.

On January 11, 1953, two youth, Bihari Lal and Bhikam Singh, were killed near Heera Nagar on Jammu-Pathankot Road. Their half burnt and decomposed dead bodies were recovered from a drain later. After their funeral it was decided that their mortal ashes would be taken to Delhi through Punjab and Western UP on March 6. A large number of people in Punjab and UP, especially in Saharanpur and Meerut gathered to pay their obeisance to these martyrs. *Movement in Delhi*

The movement in Jammu was at its peak. Every day, people gathered in large number to express their solidarity with the movement and express resentment over the atrocities of Abdullah government. The protesters were being shot and lathicharged every day. The Sheikh militia resorted to firings at unarmed protesters in Sunderbani on December 30, 1952 in which two agitators, Krishna Lal (25) and Ramji Das (20), were killed on the spot. A total of 25 people including three women were injured. An injured youth, Beliram, was killed when stones were hurled at him by the police.

When this news reached Delhi, large-scale processions and demonstrations began. People took to the streets. Sixty

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persons were injured in Hauz Kazi during police lathirchargc. Protesters were tear-gassed and lathi-charged brutally. At that time Jan sangh was holding its Annual Convention in Kanpur, where it was decided to send an eight-member delegation to Kashmir for assessing the situation, but the Government of India did not allow them to go there.

At this, Jan Sangh, Hindu Maha Sabha and Ram Rajya Parishad decided to jointly observe 'JAMMU DIWAS' on March 5, 1953. In order to prevent this, Section 144 was promulgated in all the places of Punjab and Uttar Pradesh. However, a large public meeting was held near Delhi Railway Station under the chairmanship of renowned saint Swami Karpatriji Maharaj. The meeting was also addressed by Jan Sangh president Dr Syama Prasad Mookerjee. In this meeting, it was announced that the 'Asthi Kalash' Of Praja Parishad martyrs would be brought to Delhi the next day.

Large number of people started gathering at Delhi Railway Station on March 6 to receive the ashes. By 5 pm, the whole station and all its platforms were jam-packed by the people. Heavy police contingents were deployed to seize the 'Asthi-Kalash' and to prevent people from carrying it away. Meanwhile, people came to know that the police have planned to pounce upon and seize the 'Asthi Kalash' as soon as the train reaches platform. When the message was passed on to the Praja Parishad leaders in the train, they got down even before reaching Delhi station, and managed to reach Chandni Chowk, where the entire mob also reached in a few minutes only.

Dr. Syama Prasad Mookerjcc, Barrister Nirmal Chandra Chatterjee, Shri Nandlal Sharma ancl Vaidya Guru Dutt were arrested amidst the crowed. However, the police could not deter people from gathering in different places, despite fierce lathi-charge and throwing of tear gas shells. People dispersed from there but very soon they gathered the Town Hall. They were again tear-gassed and lathicharged. Till the midnight, anti-

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government slogans were heard all over Delhi.

Satyagrah was announced in Delhi and Pathankot to protest against the arrest of Dr. Syama Prasad Mookerjee and the atrocities on Praja Parishad leaders. People started gathering in Delhi from different parts of the country. Demonstrations were held in other places also. Such was the insensitivity of the police that the vice-president of Uttar Pradesh Jan Sangh.

Mata Heera Bai Iyer, along with large number of women workers, was arrested from Delhi and they were released around mid-flight about 20 kms away from Delhi in a dense forest. The bangles which are sacred symbol of matrimony for Indian women were also broken ruthlessly by the jail authorities.

The 'satyagrahis' were on the one hand, being humiliated in front of the crowd, and, on the other hand, the suppression and atrocities were being committed in jail also. The 'satyagrahis' were not given proper clothes and beds in jail even during the coldest winter. Therefore, April 20, 1954 was observed as 'Daman Virodhi Diwas'.

Thus, Praja Parishad succeeded in expressing the aspirations of people in Jammu, in highlighting their agony, in exposing and thwarting the evil design of Sheikh Abdullah and in taking Jammu & Kashmir on the path of uniflcation with Mother India. The credit goes to them that their leaders were able to unite all the nationalist forces. The countrymen shall ever be indebted to these great leaders and martyrs. They shall ever be cherished in public memory as the true sons and daughters of Mother India, who thwarted the attempts of secessionist forces to dissociate Jammu & Kashmir from India.

Ref: from the book "Jammu & Kashmir an analysis of facts" by Ashutosh

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DR. SYAMA PRASAD MOOKERJI'S STATEMENT ON KASHMIR DATED 12-04-1952

The future of Kashmir has been deeply agitating the minds of' all sections of Indians irrespective of party affiliation for the last four years. While the tangle created by the Security Council has yet to be solved, new developments are slowly coming into the forefront due to the reported plan of the ruling party in Kashmir regarding the terms of final accession to India. Quite apart from legal and constitutional British from the Withdrawal of the part of Indian although its accession to India is now confined foreign relations, communications only to three subjects, viz. , and defence. It has been the earnest hope of all Well—wishers of the country that Kashmir should be fully integrated to India just as other states have been. From the legal stand point It was open to more than 600 of the Indian States which became nominally autonomous after the lapse of British Sovereignty in 1947 to get themselves loosely attached to India in respect of these three subjects alone, In fact, this device of loose association was not the result of the deliberate will of the people of India, but was a part of the British scheme for the emergence of a loosely knit India which was not to remain under the control of a strong and representative Central Government e Even this loose association was not acceptable to Mr. Jinnah and ultimately the country had to be divided to satisfy the intransigence of the Muslim League. While the partition resulted in unprecedented havoc and misery, it also led to the disappearance of the loose structure of Indian Union as contemplated by the British authorities. All the States realised that their safety and welfare were intimately

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mixed up with the fate of India as a whole and barring Hyderabad they all voluntarily came to form indissoluble pert of the Indian Constitution. Hyderabad resisted and raised the standard of revolt and ultimately this was solved in a manner which was consistent with the safety end welfare of India as a whole.

Kashmir naturally stood apart from the rest of the Indian States due to the clash between Indian and Pakistan and the intervention of the Security Council. The stand taken by the Government of India has been that the question of accession is to be finally decided by the people of Kashmir themselves. The Constituent Assembly of Kashmir has not yet finally decided this question but the trend of recent events markedly indicates that the present ruling party is not in favour of full accession. We are aware that there is strong volume of opinion within Kashmir territory its self which is against such a decision but that may not be effectively demonstrated inside the Assembly constituted it is. This is not a party question at all. If there are sections of people who honestly believe that full accession to India can alone save am consolidate Kashmir, they should be ell owed unfettered right to express their opinion. This is a matter which also vitally concerns India and the people of India must be elect and raise their voice before it is too late.

Sheikh Abdulla's speech as reported this morning is staggering disclosure of the inner working of his mind. He has declared that he is not in favour of full integration because the Muslims of Kashmir are nervous about communalism in India. This is a strange and sinister statement calculated to strengthen the hands of Pakistan. And to suggest that the lives of Kashmir Muslims depend on one man Mr. Nehru reveals not only lack of responsibility but distrust of a whole nation. The Indian Constitution is free from all sectarian bias and it guarantees full and equal treatment to all classes of the Indian people. There is no responsible section of the people of India today who believe

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that the destiny of their mother-land could ever lie in the path of narrowness or communalism. Indeed Pakistan was created because of fanatical communal-agitation— Those who talk loudly against communalism. In India today were the very persons who surrendered to the worst type of communalism leading not only to the vivisection of India but also to untold misery and suffering of millions of people, Hindu and Muslim. India's salvation lies in maintaining her integrity and developing a common idea of an nationhood, embracing all her inhabitants irrespective of caste, creed or religion. Sheikh Abdullah offers accession with his left hand, While having secession up his sleeve. He evidently envisages Kashmir as a buffer State between India and Pakistan.

The fates of buffer States, not enjoying Special geographical. Advantages has never been a happy one. The lessons of Belgium in Western Europe and of Poland in the East should have given sufficient warning to Sheikh Sahib. Does Sheikh Abdullah regard himself as a Kashmiri first or a Moslem first and then an Indian? Does he call himself an Indian at all? If the answer is in the negative, then he can w ell think of an autonomous Kashmir loosely connected with India. But he forgets that his recent speech in which he has emphasised the Muslim point of view and Muslim fears has strange similarity to the utterances made by Mr. Jinnah leading to India's partition. If Kashmir can claim a separate existence, why cannot other Indian States make similar demands laying stress on their own provincial bias and Special characteristics? Pushed to its logical conclusion Sheikh Abdullah's stand follows the lines of the creators of Pakistan and may ultimately lead to Balkanisation of India. Has India spent 200 crores of rupees on Kashmir or have her valiant Soldiers shed their life blood for creating a free autonomous Kashmir only loosely attached with India?? For the Sake of Kashmir to present and future existences, for her security, for her development and progress, and for enabling India to stand proudly as a true republic, Kashmir must form an

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integral part of the Republic of India. We swim or sink together. Unity and not separatism should be our watchword. If, however, the people of Kashmir under Sheikh Sahib! s leadership feel that they should be cut off from India Specially on the ground that the majority population being Muslims, they are unwilling to merge completely with India, then virtually Pakistani ideology triumphs and Sheikh Sahib past role becomes a mockery. In such an event the future of the people of Jammu and Ladakh whose leaders have already expressed their deep anxiety to merge fully with India will have to be determined in a manner truly representing their wishes un dominated by Sheikh Sahib Is authority. That will inevitably lead to partition of Kashmir or which Sheikh Abdullah will be primarily responsible earnestly appeal to -Sheikh Abdullah and his co-workers who have fought along the India for the maintenance of unity and freedom of Kashmir not to precipitate a crisis but to look at the problem from wider national perspective. Sheikh Abdullah has stated that through a process of love it may one day even be possible to re—unite India and Pakistan. I entirely reciprocate this sentiment, The achievement of this goal will be easier if we can build up a homogeneous India, including Kashmir, under one flag and one pattern of true democracy where no distinction will be made between man and man on ground of caste or religion and where the peculiar characteristics of the various units within the Indian Union will be duly respected. Unity amidst diversity has been the striking feature of Indian civilisation and Sheikh Abdullah's present move will strike at the root of our country rs greatness and progress. In the idea of Indian civilisation, in its gradeurs of arts and spirit in its centuries, old tradition of tolerance lies. not only an ideal for transcending the achievement of each individual state, but also a guarantee for all, including Kashmiri Muslims.

Not Kashmir alone but India also is vitally interested in this problem. I appeal to all sections of people to express their opinion freely on this momentous issue so that the sacrifice Ede

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during the last four years may not go in vein and we may be saved from facing disastrous consequences once again, similar to what we witnessed after the tragic partition of our motherland in 1947.

Statement of Dr. Syama Prasad Mookerji, President Bharatiya Jana Sangh, on the eve of his departure Punjab and Jammu, on 8th May, 1953.

The Satyagraha movement has been continuing in Jammu nearly six months leading to the arrest of about 2500 persons and to the killing of more than 30 Satyagrahis by police firing. In Delhi and Punjab, the movement has been going on for more than two months and has led to the arrest of more than 1700 Satyagrahis in these two and other adjoining States. Inspite of all provocations and various types of repression and terrorisations, reminiscent of British regime the movement has remained non—violent and free from any communal bias, Our movement was started in support of the demands made by the era Praja Parishad Which we consider to be fully consistent With national welfare and unity. They are basically political constitutional end economic and should be capable of fair adjustment through peaceful negotiations. Both Nehru Sheikh Abdullah however have thought otherwise end have carried on ceaseless propaganda based on false charges and casting all sorts of aspersions against their political opponents, specially those brave end patriotic brothers and sisters in struggle for their fundamental rights. They have also proceeded on the wrong basis unmindful of their own past experiences that movements which had at their back a large measure of popular support could be crushed by Governmental force or repression. Their only cloak to hide their own follies and failures in administration on is to charge their critics With communalism of which they have been the worst offenders By this how long do they expect to fool the people or evede the real issues?

Although the movement has remained confined to Delhi

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and some parts of Punjab, yet a large number of satyagrahis are pouring into the capital of India from various parts of the Country giving the movement all India character. They are bringing with them to the support and blessings of large sections people living in the areas concerned, In Jammu in spite of the iron curtain people haven't succumbed to fear and are ready to face the wrath and fury of the authorities whose repressive measures continue unabated.

If the July agreement reaches between Nehru and Shiekh Abdullah been properly amplified and implemented in full perhaps there would have no movement at all we hear today no mention of the agreement. According to un contradicted press reports, now schemes being propounded, including among others the fantastic idea of dividing the State of Jammu & Kashmir into a number of small States and treating the State as an Autonomous federation. And these were the people who charged us with the so-called evil passes of partitioning the State into separate provinces. It passes one's comprehension how there could be a federation within a federation wh10h India undoubtedly is. Perhaps to suit Sheikh Abdullah the constitution of India has to be amended ant a confederation created Jammu and Kashmir is a comparatively small State, both in respect of revenue and population. There are cities in Indi-a even larger than this state is in population, The burden of an over-heavy administration would be ruinous both economically and administratively. Sheikh Abdullah has learnt the easy habit of dubbing his critics as communalism , and narrow—minded and himself poses ns the highest embodiment of secularism. The demand of the people of Jammu, who constitute small minority in the entire State to have it fully integrated with India cannot obviously lead to any communal domination of Hindus over non Hindus, If the entire State becomes a part of Indian as other States are and is governed according to Indian Constitution with such modifications as may be essential for the State of Jammu and Kashmir, obviously the State will not be at the mercy of the

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Hindu Majority of India as a whole. This, Sheikh Abdullah has declared, is our real objective and he says he will resist this commune I demand. This is e strange attitude, (Whatever powers the Parliament of India exercises, are not according to the whims end caprices of the Hindu community as such, but strictly in accordance with the provisions of the Constitution of India in the preparation of which Sheikh Abdullah and his friends played a prominent part. If he refuses to integrate with India merely because Hindus are in majority he Simply becomes a torch bearer of Mr. Jinnah, the founder and of Pakistan. Who then I ask, are communal or guided by narrow and separatist tendencies ? They are not the people of Jammu, who, as Indians, are urging the constitutional acceptance of Indian Unity and nationhood, embracing Jammu & Kashmir? They are Sheikh Abdullah and his party, backed by our Prime Minister, who are out to. Satisfy their megalomania by earning out for themselves a semi-independent territory at the cost of Indian blood and money.

During the last few weeks I have visited many part of India and I have tried to place our view points before our country. I have found that slowly and steadily even these who did not fully support our movement are realising the grave implications of the mistaken policy of Pt. Nehru towards Jammu end Kashmir. prom that point of view out movement has been successful. It has a-roused widespread public support in favour of the basic objectives of the movement. Whether our Government or Sheikh Abdullah, who are corrupted by power, will yield to this pressure and take step? for a peaceful and honourable Settlement depends on their state man ship end realism. I am proceeding to Punjab which has played her pert so well during the Last three months. Although it will not be possible for me to address public meetings where Section 144 operates, I hope to meet' friends and workers and other representatives so PS to appreciate the situation prevailing in that state. After spending two days in Punjab intend to proceed

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to Jammu. I have been receiving reports repressions of a most alarming character in that State. During the last three months we had repeatedly attempted to send some impartial observers to Jammu but they were not allowed to enter that State. Mr. Nehru has repeatedly undeclared that the accession of the State of Jammu and Kashmir to India has been hundred percent complete. Yet it is strange to find that one cannot enter the State Without a previous permit from the India. This permit is even granted to communists who are playing their usual role in Jammu and Kashmir, but entry is barred to those Who think or act in terms of Indian unity and nationhood I not think Government of India is entitled to prevent entry into any part of the Indian Union which according to Mr. Nehru himself, includes Jammu and Kashmir, of course if any one violates the law after entering any state, he will have to face the consequences.

My object in going to Jammu is solely to acquaint myself with what exactly had happened present state of affairs. I would also come into contact With available Local leaders representing various interests, outside the Praja Parishad. it will be my endeavour to a certain what the intention of the people of Jammu is and to find out if at all there is any possibility of the movement being brought to a peaceful and honourable end, which will be fair and just not only to the people of the State but a also to the Whole of India I confidently hope I ,shall receive the full-cooperation and sympathy of all concerned when proceed to discharge this difficult responsibility. If I am allowed to enter the State, I for my sake do not rule out the possibility of even with Let Sh. Abdulla and have a personal discussion with him. Let not any one, however high his officially pedestal may be, confuse personal prestige with the prestige of the Nation and let all act in such a manner Which me y not undermine the cause of national solidarity peace end progress.

Bharatiya Jana Sangh Central Office, Ajmeri Gate, Delhi, 6, Date 18-06-1958

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MARTYRDOM OF DR SHYAMA PRASAD MOOKHERJEE

Praja Prashid movement was instrumental in mobilising the people of Jammu and Kashmir towards national unity and generating patriotic feelings. The Praja 'Parishad leaders did not to accept anything for Kashmir that was divisive in nature. Their slogan 'Ek Vidhan, Ek Nishan and Ek Pradhan' was supported by Bharatiya Jan Sangh. This Movement was further boosted when Dr Syama Prasad Mookerjcc, who had earlier been the Industry Minister in Nehru cabinet, and who was also the national leader and founder of Bharatiya Jan Sangh, went to Jammu along with thrcc other MPs VG Deshpande, Ram Narayan Singh and Barrister Umashankar Trivedi. Addressing a gathering on the occasion, he declared, "Either I will get the Constitution, or will make the sacrifice".

Pt Prem Nath Dogra was invited to Kanpur in the first convention of the Jan Sangh to present a brief of Jammu & Kashmir. Finally, a unanimous resolution was passed to support the movement. It was declared that the movement will be taken to different parts of the country, and that a team of Jan Sangh leaders will go to Jammu & Kashmir. It was also decided that the support will be taken from other nationalist organisations.

Dr Mookerjee raised the issue of Jammu & Kashmir inside and outside Parliament. He also held lengthy correspondence with Nehru and Sheikh Abdullah regarding it. He wrote to Prime Minister Jawahar Lal Nehru on January 9, 1953 to consider seriously the demands of Praja Parishad

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leaders, because keeping those demands pending would be fatal to the national integration and sovereignty but the reply received on January 20 made it amply clear that the appeal of Mookerjee did not have any impact on Nehru. Showing his apprehension in the letter written to Pandit Deendayal Upadhyaya, Dr Mookerjee wrote, "The movement has become indispensable. There is no sign of Nehru relenting over the issue." However, he continued his efforts and maintained the communications.

Nehru not only ignored the demands of Praja Parishad, but also turned down the request of Dr Mookerjee to meet him personally. He wrote in January 9 letter, "If you want that I should meet you and Abdullah personally, and then please inform me. I will act accordingly." In reply to this letter Nehru expressed reluctance, saying that he is busy. However, he urged Mookerjee to use his influence to stop the agitation.

Meanwhile, Dr. Mookerjee kept on corresponding with Nehru for about two months, but nothing was achieved.
Thus, after informing Nehru about it in his last letter on February 28, 1953, he made all the previous letters public, so that people could know the truth and what was being communicated between them. Even in Parliament he requested Nehru to talk to Praja Parishad leaders, but Nehru's reply was in negative. Nehru even went on to add that he would have acted more sternly, if he had been in the place of Sheikh Abdullah.

Sheikh's dictatorship was not controlled in Jammu and in Delhi Nehru thought that he would be able to suppress the agitation forcibly. Nehru went to the extent of telling the MPs in Lok Sabha that Sheikh Abdullah is not wrong in suppressing Praja Prashid movement. Not only the opposing but even some of the ruling party MP's were wonderstruck, unable to do anything.

Addressing a large crowd of protesters near Delhi Railway Station on March 5, 1 953, Dr Syama Prasad Mookerjee

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said "Considering the attitude of Nehru government, now for us there remains two options only. One, that we surrender and yield to the whims of Nehru and Sheikh, risking the sovereignty and integrity of the nation; or two, we fight it out with full nationalistic zeal and make sacrifice to save the unity of our country, creating such a powerful public opinion protesting peacefully against the policies of Nehru and Sheikh Abdullah, that we may prevent the dangerous future consequences of the nation." Speaking in a serious yet strong voice, Mookerjee added, "Dear friends, we have chosen the second one.

Throughout the months of March and April the agitations protests and 'satyagraha' were going on in Delhi. The 'satyagrahis' coming from all over the country were giving court arrest. The government continued to persecute the protesters all over the country. Even in jails the leaders and workers of the movement were tortured by the jail administration. Saddened and enraged by all this, Dr Mookerjee, all of a sudden on May 7 declared, "I be going to Jammu tomorrow"

Before starting his journey, Mookerjee issued a statement highlighting the objectives of his Yatra. He said in the statement, "I am going on a tour of Punjab. I will not be able to address the public meetings at the places where they have promulgated section 144, but still 1 will meet important persons in those places. And thus I will try to find out what is happening. I have received the information from Jammu that Praja Parishad workers and leaders are being harassed and tortured very inhumanly by Sheikh Abdulla at the behest of Nehru government. We tried several times during the last three months but we were not given entry into the state."

He added, ' 'Mr Nehru keeps on repeating that Jammu & Kashmir has been fully merged and integrated with India, even then it is surprising that people from other parts of the country cannot go there without permit. Those who are working for unity and integrity of the country cannot go there. I do not think

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that the Government of India has the right to ban the entry of anyone into any part of the country including Jammu & Kashmir. If anyone violates the law of any state after entering there then he may be punished."

He further said, "My purpose of going to Jammu is to know the real situation there. I will meet people even other than the Praja Parishad leaders. I will try to understand the mind of people there. If possible, I will try to stop the movement peacefully which will be in the interest of not only Jammu & Kashmir but the entire nation. If I am allowed to go to Jammu, I will try to talk to Sheikh Abdullah as well."

In addition to informing the media, Dr Mookerjee also sent a telegram to Jawaharlal Nehru informing him that "I am going to Kashmir without deliberately seeking any permit because I don't think any permit is needed for going there and also because your government has refused permit to many people whose opinion differs from you. And I feel that it is justified politically, morally and legally to go there."

He also said, "I am a member of the Indian Parliament which includes Kashmir also. It is the duty of each and every Member of Parliament that he should move to any part of the country to study situation there."

In a separate telegram sent to Sheikh Abdullah, Dr. Mookerjee said, "I want to create a situation in which peaceful and amicable settlement can be reached. After studying the situation in Jammu, I also welcome a meeting with you. However, in reply of this telegram he received the reply from Sheikh Abdullah advising him not to come.

It is relevant to mention here that the agitation in Delhi was at its peak and two other Lok Sabha MPs, Treasurer of Jan Sangh Barrister Umashankar Trivedi and general secretary of Hindu Mahasabha Vishnu Ghanshyam Deshpande, had declared to go to Kashmir. They had been arrested on April 17 in

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Jalandhar, while they were on their way to Kashmir. But the Supreme Court of India ordered to release them, declaring that they had not violated any law. Nehru had taken a lesson from this and decided that Dr Mookerjee should be arrested only in Kashmir because there the law of the country does not apply and that the Supreme Court of India cannot interfere there. This is the reason Dr Mookerjee was arrested while entering in Jammu.

Shri Atal Bihari Vajpayee had followed Dr Mookerjee as a journalist. He mentioned at one place that the Deputy Commissioner of Gurudaspur informed Dr Mookerjee that he would make all necessary arrangements for his visit and that he would facilitate his meetings with all the parties concerned. He said that there is no problem in his going there. But something foul was smelt as soon as Dr Mookerjee was arrested by Jammu & Kashmir police on Madhopur Bridge.

The news spread like a wild fire and demonstrations and agitations were intensified in all the places. Barristers Umashanakar Trivedi wanted to give application in Jammu and Kashmir against the arrest and meet Dr. Mookerjee but he was not allowed to meet him by the Government. He was allowed only when the High Court of Jammu and Kashmir permitted him.

After meeting Dr Mookerjee the Barrister moved a petition in the High Court of Jammu & Kashmir and the Court fixed June 23 for hearing, and everyone waited with curiosity as to what judgement would be pronounced by the court. But alas! All the heads hung in shame when the news was broadcast that Dr Syama Prasad died the previous night under mysterious circumstances. To evade any further trouble all other leaders were released by the government immediately.

Ref: from the book "Jammu & Kashmir an analysis of facts" by Ashutosh

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DISMISSAL OF ABDULLAH, 1953

Appointed Prime Minister by Maharaja Hari Singh on March 5, 1949, Sheikh Abdullah was dismissed by Maharaja's son Sadar-e-Riyasat, Dr. Karan Singh on August 9, 1953 on the direction of Pt. Nehru. What a U-turn in the cycle of history. Sheikh's speech of August 8, 1953 in R.S. Pura challenging State's relationship with the rest of the country had alarmed Pt. Nehru. On May 18, 1953, members of the working committee of the National Conference (NC) appointed an eight-member committee to explore avenues of a settlement, Its members were Sheikh Abdullah, G.M. Sadiq, Maulana Moharned Saeed Masoodi, Sardar Budh Singh, Mirza Mohammed Afzal Beg, Pt. Girdharilal Dogra, Bakshi Ghulam Mohammed and Pt. Sham Lal Saraf. Dr. Shyama Prasad Mukherjee died on May 23, 1953, allegedly killed in jail. Nehru might have gone to boost up morale of Abdullah. Nehru, who was in Kashmir from May 23 to 25, 1953, was fully informed about the deliberations. Here is an extract from the minutes of the committee's final session held on June 9, 1953. "As a result of the discussions held in the course of various meetings, the following proposals only emerge as possible alternatives for an honourable and peaceful solution of [the] Kashmir dispute between India and Pakistan:

(a) Overall plebiscite with conditions as detailed in the minutes of the meeting dated 4th June, 1953 (this, apparently, was a reference to Maulana Masoodi's suggestion that the choice of independence be offered in the plebiscite);

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(b) Independence of the whole State;
(c) Independence of the whole State with joint control of foreign affairs;
(d) Dixon Plan with independence for the plebiscite -area (region-wise disposition of the State).
"Bakshi Ghulam Mohd. was emphatically of thc opinion that the proposal (d) above should be put up as first and thc only practicable, advantageous and honourable solution of the dispute. Maulana Saeed, however, opined that the order of preference as given above should be adhered to."

What G.M. Sadiq suggested that an agency consisting of India, Pakistan, Afghanistan, Soviet Russia and China to supervise and conduct the plebiscite? He was close to the Communist Party of India (CPI) and wanted the Union of Soviet Socialist Republics to be represented on the commission.

In June 1953, Maulana Abul Kalam Azad visited Kashmir and was apprised of these developments.

Nehru read the minutes and was greatly disturbed by the Sheikh's attitude. If Bakshi and Sadiq did not worry him with their '(emphatic" support for plebiscite, it was because he knew they were dissimulating and playing for time.

A letter which Azad wrote to Abdullah on July 9, 1953, reveals that the Sheikh's fears were not unfounded after all. He offered to make Article 370 permanent, as if it was not meant to be so, until replaced by a final accord. The Sheikh's reply of July 16, pointed out that any final settlement required both a Union-Kashmir accord on autonomy and an India-Pakistan accord on the State's future. "l hope you are not unaware of the fact that even after Delhi Agreement responsible spokesmen of the Government of India declared that their ultimate objective was to secure complete merger of State with India and that they waited for appropriate time and conditions to bring that about. Tragically, on July 31, 1953, Nehru took the fateful step. Mullik

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wrote in his memoirs My Years with Nehru: "On 31st July Mehra (D W. Mehra, Mullik's Deputy) and I met the Prime Minister he came to the point that there was no other alternative but to remove Sheikh Abdullah and install Bakshi Ghulam Mohammed in his place he warned that we must be prepared for the worst, because the Sheikh undoubtedly had a large following in the Valley." Mehra should assume control" of the State police, even become Chief Executive if need be.

On the same day, July 31, he prepared a statement which M.O. Mathai recorded. It contained his written instructions for the Sheikh's outlining the very steps that were taken later: "A brief memorandum might be prepared and placed before the [State]cabinet." The Head of the State (Yuvraj Karan Singh) should ask for the resignation of those who disagreed.

"If the resignations are not forthcoming, he should have an order ready for the dismissal of the government.

Also, "such assistance as may be considered necessary for the maintenance of law and order should be available" — from Delhi, of course.

What a tragic story of 'rise of fall' of Sheikh Abdullah on the lap of Nehru. Anyhow, Nehru might have realized that National Security was more important that mere friendship. Sheikh's fall came 70 days after the mysterious death of Dr. Shyama Prasad Mukherjee.

Sheikh Arrest

Ajit Prasad Jain carried the memo and other papers to Srinagar and presented to Dr. Karan Singh. Sheikh was arrested at Gulmarg on August 9 with an order of dismissal. Bakshi Ghulam Mohd. was sworn in as Prime Minister at Yuvraj Karan Singh's residence, Karan Mahal at the midnight in Srinagar.

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To one and all, Nehru flatly denied that he was responsible for the Sheikh's dismissal, let alone his arrest. He told the President on August 9 that, "We did not wish to interfere in any way with these internal happenings.... The Sadar-i-Riyasat (Karan Singh) has acted on his own responsibility in this matter." Parliament was given the same line on August 10 that, "Our advice was neither sought nor given." This is how Nehru failed to speak truth.

Nehru's Admission

Finally, Sheikh Abdullah wrote to Nehru on March 18, 1955, asking to be informed what sins he had committed. Nehru's reply of April 8 harked back to his Note of August 25, 1952: "You had decided to pursue a line of action which appeared to me to be very harmful for the future of Jammu and Kashmir" He was being punished for taking Nehru at his word and asking him to fulfil the pledges he had made publicly and repeatedly to the people of Kashmir.

On January 6, 1958, the Sheikh was released from jail. On April 11, 1958, he wrote to Nehru: "In spite of all that has happened since August 1953, I still believe that the key of the solution lies in your hands and I appeal to you not to be deceived by Bakshi Ghulam Mohammed and his other supporters in pursuing a policy which, in the end, is bound to prove disastrous for all." He was re-arrested on April 29, 1958, by D. W. Mehra, then Inspector-General of Police, J&K. The cases against the Sheikh were withdrawn and Sheikh Abdullah, Mirza Afzal Beg and others were released on April 8, 1964. Nehru invited the Sheikh to be his guest. With Nehru's approval, he went to Pakistan on May 24, 1964, and met President Ayub Khan in Rawalpindi on May 26, 1964. He announced that Ayub Khan had accepted Nehru's invitation to visit Delhi for talks in June. The next day, on May 27, Jawahar Lal Nehru died of cardiac arrest while the Parliament was in session. May be due to heavy

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criticism for having sent Sheikh Abdullah to Pakistan. Parliament adjourned and the Flag went half-mast.

This author with his team was sitting on hunger strike in front of Parliament on May 27, 1964 demanding equitable share to the youth and student to end discrimination with Jammu and Ladakh. Nehru's sudden death caused shock to the Nation. Whole nation woke up for mourning the death of the first Prime Minister of India. Shastri Ji came and requested us to end our hunger strike. The prominent youth leaders who were sitting on hunger strike included Thakur Rachhpal Singh, Advocate, Mr. Raj Kumar Sehgal, Mr. Durga Das Abrol, Mr. Suresh Anadi, Pt. Balbhadra Pathak and several other youth of Jammu. Abdullah returned from Pakistan and we returned to Jammu.

Reference: from the book " A Saga of sacrifices ....Praja Parishad movement in Jammu & Kashmir.

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WHY ARTICLE 370 WAS INCLUDED IN THE CONSTITUTION?

Article 370 was included in the Constitution as stated above because at that time war was going in the State with Pakistan and a dispute regarding accession was pending in UNO. Because of these special conditions the Article inserted on temporary basis. Later on, the Situation was normalized and the Instrument of Accession was ratified by the Constituent Assembly. Thereafter, many elections have been held even under the supervision of Election Commission of India after 1962 and in the Preamble of the J&K Constitution which came into force on 26 January 1957, it has been clearly stated:

"We, the people of the State of J&K, having unanimously resolved in the presence of accession of this State of India which took place on the 26th day of October 1947 do further define the existing relationship of the State with the Union of India as an integral part thereof and to secure to ourselves: Justice, social, economic and political, liberty of thought, expression, belief, faith and worship; equality of status and of opportunity and to provide among us all; fraternity assuring the dignity of the individual and the unity of the Nation....."

The special Status should have come to cease after 1954 as the situation had normalized and Constituent Assembly made the ratification of the accession in the Assembly which was the policy of the Central Government, expressed in the unilateral clause inserted by the then Governor-General of India after

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accepting the accession. This is clause was not the requirement of the relevant Jaw governing the accession contained in Indian Independence Act of 1947 read with Government of India Act of 1935. The continuations of Article 370, separate flag of the State are symbols of separatism under the protection of Article 370. Maharaja Hari Singh who had made the absolute accession with the dominion of India had wrote a letter to Sardar Patel on July 15, 1948 in which he had clearly stated that we are interested in the progress of whole of India. His words are reproduced hereunder:

"Everybody is aware of my view on this issue and I have expressed it on several occasions. In brief, we want due place in the new constitutional structure of India. We hope that India will emerge as a great country in the world and will contribute in the solution of problems of mankind through its influence and global fraternity as well as great culture. "

In the Security Council on 5 February 1948, Sheikh Abdullah had made a speech that accession to India is complete and unquestionable. Thereafter when Constitution of Jammu and Kashmir was enacted, Sections 5 and 147 had reiterated this position that Integration of the State is legally and politically complete.

The continuation of the Article suits the Kashmir Valley centric mainstream political organisations to rule over the peoples of other two regions, i.e. Jammu and Ladakh and this is happening because of weak government in the Centre except for few intervals but because of paucity of time they could not achieve this object. Now, with a strong government in the Centre a golden opportunity is available when by discussions and debates it should be churned out whether abrogation or amendments are required to be made in this Article to do away with the sense of segregation from the mainstream lurking in the minds of some segments of society. The report of Gajendragadkar Commission has taken cognizance of irritations

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and tensions. In Paragraph 7.16 of the report it is stated, "the government and the people Of the J&K State may themselves decide when Article 370 should be abrogated." The State has remained most backward for industrialisation and outside investment in the State. The educated youth want job opportunities which can be provided in large numbers in the private sectors. The valley very soon be connected with rail service. In case the youths are involved in developmental activities they shall not fall prey to separatist elements. All the inhabitants of three regions want to preserve their separate entities and the existing laws are sufficient to protect and preserve alienation of land wealth of the State. When and tranquillity would be pervading under an effective and honest government Article 370 which is of purely temporary nature would lose its significance.

Before this chapter is closed it is reiterated that Article 370 is only of temporary nature and was engrafted in the Constitution by way of a stop gap arrangement. It can be abrogated as it does not have any qualification to be called as one of the basic features of the Indian Constitution.

Reference:
Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi.

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ARTICLE 370, 35 A & DELHI AGREEMENT

Impact of Article 370 & 35A on the Accession of Jammu & Kashmir to Bharat

Rachpal Singh

The Jammu and Kashmir State constitutes the northern most part of India. It forms an integral part of India but has a separate constitution of its own which governs its people.

In the recent past, there has been lot of hue and cry over the Articles 35A and 370 of the constitution of India. This irrelevant propaganda started by the anti-national forces including the separatist groups and some leaders of Kashmir Centric political parties with the support of external forces have created a lot of confusion in the minds of the general public.

The objective of the present article is to create awareness among the public about some important facts concerning the Accession of Jammu and Kashmir to the Dominion of India and the extent of relevance the Articles 370 and 35A have in this context.

Accession of Jammu and Kashmir to Bharat:

British parliament passed the India Independence Act on 18th July, 1947. Under this Act, 15th August, 1947 was fixed as the day of independence, whereby Bharat was created as a Successor State of British India and one part of British Dominion was segregated as Pakistan. Once this Act was applied, British India obtained Independence and the para-mountcy of British Crown over princely states numbering about 562 lapsed and the

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states became separate entity but they did not get the status of a nation. It was suggested to these states to merge either with India or Pakistan.

According to Government of India Act, 1935, which was included in the Independence of India Act, 1947, the decision about accession was to be taken by the Head of the State and there was no provision for conditional accession.

Maharaja Hari Singh, due to peculiar situation existing in his State took some time to decide whether to accede to India or Pakistan; but finally decided to sign the Instrument of Accession of Jammu and Kashmir with India on 26th October, 1947 on the same basis which all the other princely states had adopted while acceding to India and on which the then Governor General of India Mountbatten had put his signatures stating that. "I hereby accept this Instrument of Accession" (October 27, 1947)

The relevant Articles viz Article–I and Article -9 in accession document of Jammu & Kashmir signed by Maharaja Hari Singh show complete and final accession.

According to 'Independence of India Act, 1947' after the signatures of Maharaja, right to object was not given to anybody and not even the people of the concerned State.

When the process of Constitution was going on by Indian Constituent Assembly; four members from the State of Jammu & Kashmir also joined the Constitution making process of Bharat. The process of integration was same for all the princely states as is evident from the fact that before the Constitution of India was adopted by the Union Constituent Assembly, all the princely states issued a proclamation that they accept the Constitution of India. A similar proclamation was issued by Yuvraj Karan Singh in his capacity as Regent, on 25th November,

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1949. The impact of this proclamation was that, as per schedule one of Article one, Jammu and Kashmir became 15th No. State.

Article 370

The State of Jammu and Kashmir was passing through a phase of grave crisis at the time of partition. That is why, the framers of the Indian constitution made some provisions with respect to the State of Jammu and Kashmir to meet the unique situation and which has been exploited by the people to whom it suits politically till today.On October 17, 1949, Gopal Swami Iyengar, the Minister looking after Kashmir Affairs, introduced Article 306-A (now Article 370) in the Constituent Assembly of India as a **Temporary Measure**. This Article 306 A was not included in the original draft of the constitution submitted by the committee presided over by Dr. B.R. Ambedkar.

Constitutionally, the State of Jammu and Kashmir is part and parcel of India but has a constitution of its own. This separate Constitution bestows on the people of the State some additional or special rights which apparently the residents of other states of the Indian Union do not enjoy.

The Article specifies that except for Defence, Foreign Affairs and Communication (matters specified in the Instrument of Accession), the Indian parliament needs the State Government's concurrence for applying all other laws;including those related to citizenship, ownership of property and fundamental rights as compared to other Indians.

The Legislature of J&K have not always passed laws matching the Indian laws with the result the residents of J&K do not benefit from the progressive laws passed by the Indian Parliament.

Article 370 empowers the President of India to:

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1. Transfer powers to the Union in regard to such other subjects in the Union List and the concurrent list of the 7th Schedule of the Indian constitution, which the President specified with the concurrence of the state government.

2. Extend to the state the provisions of the constitution of India, which were saved application to the state with such modifications as the President would specify. From the above,it becomes clear that this article is not beyond change or alternation. On the other hand the provisions to amend the Article 370 were incorporated in the Indian constitution and such powers were vested with the Parliament. Thus, technically speaking there is no hurdle to abrogate the Article, if the Parliamentarians collectively choose to do so.

Article 35A

The President of India, for clarification of application of laws and provisions of an already existing Article 370 issued an Order called Constitution (Application to Jammu and Kashmir) order 1954 on 14th May, 1954. Although, this new article was named as Article 35A, it was not placed immediately after the Article 35, but, was put outside the main body of the statue book deliberately to hide the legislature.

Article 368 lays down the procedure for making any amendment in the existing Article. An amendment of the constitution may be initiated by introduction of Bill for the purpose in either house of Parliament which has got to be passed by not less than two third of the members in both the houses. But, the Presidential Order 1954 was not presented in the form of a bill in any house, nor was the Parliament informed about the incorporation of such an article in the Constitution.

It is clear that the President of India does not have powers to amend the Constitution of India except through

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presenting a bill for the purpose in Parliament. Yet an entirely new Article 35A was introduced with respect to permanent residents and their rights :-

a. Defining the classes of persons who are or shall be, permanent residents of the State of Jammu & Kashmir, or

b. Conferring on such permanent residents any special rights and privileges or imposing upon other persons any restrictions as respects.

i. Employment under the State Government;
ii. Acquisition of Immovable property in the state;
iii. Settlement in the state or
iv. Right to scholarships and such other forms of aid.

According to Article 35A any person who has migrated to Jammu and Kashmir after 1944 cannot be granted the right for permanent residence and only those residents who have obtained PR by way of State Subject Certificate issued by the Maharaja ten years before the promulgation of Constitution of Jammu and Kashmir are entitled for the same.

Discussion

The princely State of Jammu & Kashmir acceded to the Dominion of India on 26th October, 1947 on the basis of the same Instrument of Accession which the other princely states had adopted. Despite the lawful accession of Jammu and Kashmir with India; the Separatist Groups; some leaders of the Kashmir Centric Political parties and other anti-national political outfits supported by Pakistan and China have been terming the accession as incomplete and conditional and putting forth the following arguments in support of their contention:-

i. Accession incomplete and conditional
ii. Delay in signing the Instrument of Accession by

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Maharaja Hari Singh.

iii. Demand for Plebiscite.

iv. Reference to the letter of Lord Mountbatten Dt. 27 October, 1947 written to Maharaja Hari Singh.

v. Matter pertaining to dispute between India and Pakistan in UNSC.

vi. Special status of Jammu & Kashmir due to Article 370.

vii. Existence of Article 35A in the Constitution of India.

The above aspects have been discussed hereunder so as to enable the general public know the facts in the context of the above controversies:-

i. Accession Incomplete and Conditional:

Accession of the states to the Dominion was governed by two acts of British Parliament.

a. The India Independence acts, 1947

b. The Government of India Act 1935

Neither the Instrument of Accession by the Maharaja nor above mentioned two acts had any provision of temporary or conditional accession. The provision was made only for Accession of a State not Secession. Hence, the Accession of Jammu and Kashmir to Bharat as in the case of other states that acceded to Bharat was final, absolute and indefensible, which cannot be altered. The ruler of the J&K State was fully competent to sign the instrument of accession.Hence, the accession of Jammu and Kashmir to Bharat is **Complete, Unconditional and Final**.

The State's Constituent Assembly was elected in 1951; all the 75 members in the Constituent Assembly belonged to National Conference and Maulana Masoodi became its President. On 6th February, 1954 this Constituent Assembly ratified the accession of the State to India. This is how the process

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of integration of Jammu and Kashmir was completed.
The Constitution of Jammu and Kashmir was executed on 26th January, 1957 which states;

Article 3: Jammu & Kashmir State is inseparable part of India and will always remain so.

Article 4: The meaning of Jammu & Kashmir is the area of land, which was ruled by the sovereign authority of King before August 15, 1947.

Article 147 of the same Constitution says that Articles 3,4 and 147 can never be amended, to the extent that no bill can be presented in the State Assembly about this for consideration.

ii. Delay in signing the Instrument of Accession by Maharaja Hari Singh:

It is often argued that since Maharaja Hari Singh could not sign the Instrument of Accession before 15th August, 1947, it weakens Bharat's stand on the accession of State to India. It is a misconception as there was no deadline fixed for signing the Instrument of Accession. There are instances where states executed the document of accession after 15th August, 1947. Tripura and Saraikela were two of many other princely states, which signed the Instrument of Accession after 15th August, 1947.

iii. Demand for Plebiscite:

The ruler of Jammu & Kashmir was fully competent to sign the instrument of accession of Jammu and Kashmir to Bharat. There was no provision of Plebiscite either in Maharaja's Instrument of Accession or Indian Independence Act, 1947.Accession was executed and accepted strictly in accordance with the constitutional procedures then in force.

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As far as wishes of the people of Jammu and Kashmir on the question of accession is concerned, it can be gauged from the fact

(a) when the Pakistani Tribes along with army raided the Kashmir Valley; people did not welcome them but had offered stiff resistance and many of them had sacrificed their lives in the process.

(b) Accession to Bharat was unanimously supported and ratified by the largest and most representative political party National Conference at that time which is now raising the bogey of Autonomy to J&K State. (c) The people of J&K adopted their Constitution in 1956 which came into effect in 1957. Section 3 of Constitution of J&K declares that the State of J&K is and will be an integral part of the Union of Bharat.

iv. Dispute over Accession of J&K with Bharat is in UNSC:

"Aggression" was the issue in UNSC, not Accession.UNSC is not a competent authority to deal with the Accession. Had accession been an issue of contention, then Bharat must have approached the International Court of Justice. Bharat always took the stand that it approached the UN on the question of aggression from Pakistan.

v. Lord Moutbatten's Conditional acceptance of the Accession of J&K to Bharat:

On 27 October, 1947, Lord Mountbatten, accepted the Instrument of Accession signed by Maharaja Hari Singh and wrote him a letter saying "My Government has decided to accept the proposal of Accession of Kashmir province with India. But our Government wants to maintain the policy that wherever there is controversy regarding accession of a state, the decision should be left with the people".

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Infact, such a proposal or suggestion is illegal. Because, J&K was merged with India by Maharaja Hari Singh under the same Independence of India Act, 1947 on the basis of which our country was divided into two nations, the emergence of Pakistan took place and other 560 states were merged either with India or Pakistan.

vi. Special status of Jammu & Kashmir due to Article 370:

The detractors of the Indian Nation argue that the Article 370 was meant to maintain separate identity of Jammu and Kashmir being a Muslim Majority State. It is again diversion from the constitutional reality that shaped the two states of India and Pakistan. It was the British India that was to be partitioned and for the princely states there were two options of accession, either with India or Pakistan and there was no third option of Independence. Above all, the sovereignty lied with the ruler and not the subjects of any princely state.

Only thing special about the Article 370 is that it was meant to be abrogated, being temporary. But this Article has created a peculiar situation whereby, due to the existing laws, a citizen of J&K can settle and get education anywhere in India, but a citizen of India cannot enjoy any of these facilities in J&K. The Constitution of India provides for positive discrimination in favour of downtrodden classes of citizens but, in J&K such citizens have suffered the most. As for example the Schedule Tribes (STs) who enjoy special rights under the constitution of India are fully deprived in matters of employment as also at political level by the Constitution of the State of Jammu & Kashmir.

vii. Existence of Article 35A in the Constitution of India:

The Article 35A which was incorporated in the constitution of India does not have legal validity as it was included in the

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Constitution without following the set procedure laid down under Article 368.

The rulers of Jammu and Kashmir have been claiming that they have only followed the law which was prevailing in the State during the Maharaja's time. The fact is that the Maharaja's law even allowed people from outside State to become the Permanent State Subjects if their services were needed for the public good. But, these rulers have not honoured even their commitments for example (a) after partition, when lakhs of people migrated to Indian side and many of them entered Jammu being the nearest destination.

These refugees were assured all facilities by the then ruler Sheikh Mohammad Abdullah and were allowed to settle on the lands bordering Pakistan. But, they have suffered under inhospitable conditions for about 70 years without jobs, permanent property, education for their children and even the voting rights as citizens. Infact, they were allowed to settle in that area because they keep vigil on the volatile border and serve as human targets to frequent Pakistani firing across the border.
(b) In 1956 another Chief Minister Bakshi Ghulam Mohammadinvited a large number of Sweeper families from Punjab to help the State in major sanitation crisis and promised them proper rehabilitation as Permanent Residents. These sweepers numbering about 20,000 have been issued Conditional Resident Certificates valid for the job of a sweeper only.

The Article 370 enforced by the Article 35A has turned the State of J&K into a land of in-equality and discrimination for all unprivileged and down trodden classes. The Article 35A legitimized the gender discrimination by depriving the daughters from inheriting properties of their families. Woman married to a non-resident can inherit the property of her father but not her children.

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Article 370 and the Article 35A have brought immense havoc in the State of J&K by bringing the entire economy almost to zero growth. Thousands of educated youth are jobless. All the Industrial Estates set up by Government are defunct. A large percentage of youth have nothing to do. Those who do not leave in search of job outside the State fall in the web of terrorism. Article 35A has not only put obstacle in the path of good governance but has created an economic stagnation also.

Presently, some leaders of the Kashmir Centric Political parties are showing great interest for the settlement of Rohingiya Muslims from Myanmar/ Bangaladesh in Jammu, but do not want that the permanent resident status be accorded to the Indians (West Pakistan Refugees) who have settled here for the last 70 years.Now, the need of the hour is not only to discuss the good or bad of the text of Article 35A but it is more relevant to know whether this Article is constitutionally valid at all.

The Article 368 of the Constitution of India lays down the procedure for incorporation of a new article or amendment of the existing articles according to which any amendment can be initiated by the introduction of a bill to that effect in either house of Parliament. It has got to be passed by not less than two third of the members in both the houses. Since the Presidential order 1954 was not presented in the form of a bill in any house, nor was the Parliament informed about it; therefore, the very existence of Article 35A is under question mark. However, as the matter is subjudice, let us wait for the verdict of the Supreme Court of India in this regard.

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WHAT IS ARTICLE 35A?

- Article 35A was an amendment in our Constitution via back door (Presidential order), without the involvement of India's Parliament.
- Article 35A is an example of the abuse of Article 370.
- Article 35A is a violation of the basic structure of our Constitution. It curbs certain basic rights enshrined in the very Preamble of the Constitution.
- As a result of the implementation of Article 35A, lakhs of Indian citizens have been deprived of "JUSTICE, social, economic and political" and "EQUALITY of status and of opportunity". It has also failed to "promote FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation"

WHAT ARE THE IMPLICATIONS of ARTICLE 35-A?

- This Article has denied certain basic rights to many communities living within Jammu-Kashmir for the past six decades. It has also taken away the rights of all Indians living outside Jammu-Kashmir from settling in the state of Jammu-Kashmir, an integral part of India.
- Article 35(A) enables the State Assembly to define 'permanent residents' and to give them special rights and privileges, as well as to restrict the rights and privileges of all citizens of India who do not fit into this definition of 'permanent resident'.
- As a consequence, no one except those defined as 'permanent residents' are entitled to property rights; employment in state government; participation in Panchayat, municipalities and legislative assembly elections; admission to government-run technical education institutions; scholarships and other social benefits.

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35-A POSES MANY SERIOUS QUESTIONS:

- What exactly is the constitutional status of Article 35-A?
- How can the President of India step into the shoes of the Parliament and amend the basic structure of the Constitution without Parliament's consent?
- This question can be asked in another way: Can the Prime Minister along with the Council of Ministers bypass Parliament and make whatever changes in the Constitution as they please? The President, after all, can issue an order only when told to do so by the Cabinet?
- Can democratic India allow any section of its population to be treated as second-rate citizens in any part of the country?
- Shouldn't we, as responsible citizens of India, challenge what appears to be a clear cut case of circumventing constitutional procedures?
- What can be done to provide immediate relief to the lakhs of people who have suffered for decades because of this constitutional fraud?

It is imperative to debate the constitutional validity of this Presidential order in public domain. Modern day India certainly cannot allow such grievous mistakes of the past to continue to darken the future of its citizens. The communities that have been wronged deserve justice, urgently.

Moreover, processes and procedures have sanctity of their own, particularly when they concern something as serious as amendment of the Constitution. And if the processes and procedures have indeed been given a short shrift, as appears in this case, we should have the guts to question them.

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DEBATE ON ARTICLE 306A

Mr. President : We go to 306A.
It is suggested that we had better begin the Preamble. It may be moved.

Shri T.T. Krishnamachari : It is not necessary to move it. The Preamble may be taken into consideration.
Mr. President : The Preamble is moved. I shall have to take up the various amendments to the Preamble now. I have a large number of amendments - many of them printed in the printed list.

MaulanaHasratMohani (United Provinces : Muslim) : I understand that you hae already decided that the Preamble will be taken up last. How is it that there are some articles remaining undiscussed and you pass to the Preamble?

Mr. President : Not many articles left.

MaulanaHasratMohani : Even one article - unless you finish the articles, you cannot take up the Preamble.

Mr. President : Very well, let us take up 306A.

The HonourableShriSatyanarayanSinha (Bihar : General): Sir, are you taking up the Preamble ?

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Mr. President : No, MaulanahasratMohani objects to the Preamble being taken up before all the other articles are finished. There is one more article of which notice was given and it has been standing over, amendment No. 472 by Mr. Naziruddin Ahmad. And I understand it is the same as another article of which notice was given by Pandi Thakur Das Bhargava.

Pandit Thakur Das Bhargava: Sir, it was held over on the 3rd June, by you order.

Mr. President : Then shall we take it up now? Which of them shall we take up. Mr. Nazirudding Ahmad's or that of Pandit Thakur Das Bhargava ?

Pandit Thakur Das Bhargava : Sir, I beg to move that.....

Shri R.K. Sidhva : Sir, there are other articles also of which notice has been given by other Members.

Mr. President : There is no other amendment by the Drafting Committee.

Shri R.K. Sidhva : But there may be other Members who may have amendments besides these two.

Mr. President : Amendments for the addition of new articles ?

Shri R.K. Sidhva : Yes,

Mr. President : I do not thin they will arise now.

Pandit Thakur Das Bhargava : Sir, I udnerstandShriGopalaswamiAyyangar has just come and so I may be allowed to move, after he has done.

Mr. President : There are so many articles of which notice was given and which are dropped now. We have dealt with the whole Constitution from every point of view and we cannot begin now taking up new articles. I know Pandit Thakur Das Bhargava's amendment was held over, but it has been covered by other amendments.

Pandit Thakur Das Bhargava : It is not covered, Sir.

Mr. President : Very well. We take up article 306A now.

The HonourableShriSatyanarayanSinha (Bihar : General) :Sir, are you taking up the Preamble ?

Mr. President : No, MaulanaHasratMohani objects to the Preamble being taken up before all the other articles are finished.

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Pandit Thakur Das Bhargava : Sir, I beg to move that.....

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Mr. President : There is no other amendment by the Drafting Committee.

Shri R.K. Sidhva: Yes,

Mr. President : Amendments for the addition of new articles ?

Shri R.K. Sidhva : Yes,

Mr. President : I do not think they will arise now.

Pandit Thakur Das Bhargava : Sir, I understand ShriGlopalswamiAyyangar has just come and so I may be allowed to move, after he has done.

Mr. President : There are so many articles of which notice was given and which are dropped now. We have dealt with the whole Constitution from every point of view and we cannot begin now taking up new articles. I know Pandit Thakur Das Bhargava's amendment was held over, but it has been covered by other amendments.

Pandit Thakur Das Bhargava : It is not covered, Sir.

Mr. President : Very well. We take up article 306A now. Mr. GopalaswamiAyyangar.

The HonourableShri N. GopalaswamiAyyangar : (Madras : General) : Sir, before I read out the motion. I would request yur permission, Sir, not to move item 379, but to move item 451 instead.

Sir, I move:

"That with reference to Amendment no.379 of List XV (Second

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Week), after article 306, the following new article be inserted:

'306A. (1) Notwithstanding anything contained in this Constitution,

(a) the provisions of article 211A of this Constitution shall not apply in relation to the State of Jammu and Kashmir;

(b) the power of Parliament to make laws for the State shall be limited to

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for the State; and

(ii) such other matters in the said List as, with the concurrence of the Government of the State, the President may by order specify;

Explanation. - For the purposes of this article, the Government of the State means the person for the time being recognised by the Union as the Maharaja of Jammu and Kashmir, acting on the advice of the Council of Ministers..."

I am making, Sir, with your permission, a change here. Instead of the word "appointed" I am substituting the words, "for the time being in office" - "under the Maharaja's Proclamation, dated the fifth day of March, 1948."

PanditHirdayNathKunzru : We could not hear the honourable member correctly.

The HonourableShri N. GopalaswamiAyyangar ;

"Explanation. - For the purposes of this article, the Government of the State means the person for the time being recognised by the Union as the Maharaja of Jammu and Kashmir, acting on the advice of the council of Ministers, for the time being in office, under the Maharaja's Proclamation, dated the fifth day of March, 1948."

I have there substituted the words "or the time being in office," for the word "appointed".

"(c) the provisions of article 1 of this Constitution shall apply in relation to the State.

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(d) such of the other provisions of this Constitution and subject to such exceptions and modifications shall apply in relation to the State as the President may by order specify;

Provided that no such order which relates to the matters specified in the Instrument of Accession of the State aforesaid shall be issued except in consultation with the Government of the State;

Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

(2) If the concurrence of the Government of the State referred to in sub-clause (b) (ii) or in the second proviso to sub-clause (d) of clause (1) was given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

(3) Not withstanding anything in the preceding clauses of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify:

Provided that the recommendation of the Constituent Assembly of the State shall be necessary before the President issues such a notification."

Sir, this matter, the matter of this particular motion, relates to the Jammu and Kashmir State. The House is fully aware of the fact that the State has acceded to the Dominion of India. The history of this accession is also well know. The accession took place on the 26th October, 1947. Since then, the State has had a chequered history. Conditions are not yet normal in the State. The meaning of this accession is that at present that State is a unit of a federal State, namely, the Dominion of India. This Dominion is getting transformed into a Republic, which will be inaugurated on the 26th January, 1950. The Jammu and Kashmir State, therefore, has to become a unit of the new Republic of India.

As the House is aware, accession to the Dominion always took

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place by means of an instrument which had to be signed by the Ruler of the State and which had to be accepted by the Governor-General of India. That has taken place in this case. As the House is also aware, Instruments of Accession will be a thing of past in the new Constitution. The States have been integrated with the Federal Republic in such a manner that they do not have to accede or execute a document of Accession for the purpose of becoming units of the Republic, but they are mentioned in the Constitution itself; and, in the case of practically all States other than the State of Jammu and Kashmir, their constitutions also have been embodied in the Constitution for the whole of India. All those other States have agreed to integrate themselves in that way and accept the Constitution provided.

MaulanaHasratMohani : Why this discrimination, please?

The HonourableShri N. GopalaswamiAyyangar : The discrimination is due to the special conditions of Kashmir. That particular State is not yet ripe for this kind of integration. It is the hope of everybody here that in due course even Jammu and Kashmir will become ripe for the same sort of integration as has taken place in the case of other States. (Cheers) At present it is not possible to achieve that integration. There are various reasons why this is not possible now, I shall refer again to this a little later.

In the case of the other Indian States or Unions of States there are two or three points which have got to be remembered. They have all accepted the Constitution framed for States in Part I of the new Constitution and those provisions have been adapted so as to suit conditions of Indian States and Unions of States. Secondly, the Centre, that is the Republican Federal Centre will have power to make laws applying in every such State or Union to all Union Concurrent Subjects. Thirdly, a uniformity of relationship has been established between those States and Unions and the Centre. Kashmir's conditions are, as I have said, special and require special treatment.

I do not want to take much of the time of the House, but I shall briefly indicate what the special conditions are. In the first place,

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there has been a war going on within the limits of Jammu and Kashmir State.

There was a cease-fire agreed to at the beginning of this year and that cease-fire is still on. But the conditions in the State are still unusual and abnormal. They have not settled down. It is therefore necessary that the administration of the State should be geared to these unusual conditions until normal life is restored as in the case of the other States.

Part of the State is still in the hands of rebels and enemies.

We are entangled with the United Nations in regard to Jammu and Kashmir and it is not possible to say now when we shall be free from this entanglement. That can take place only when the Kashmir problem is satisfactorily settled.

Again, the Government of India have committed themselves to the people of Kashmir in certain respects. They have committed themselves to the position that an opportunity would be given to the people of the State to decide for themselves whether they will remain with the Republic or wish to go out of it. We are also committed to ascertaining this will of the people by means of a plebiscite provided that peaceful and normal conditions are restored and the impartiality of the plebiscite could be guaranteed. We have also agreed that the will of the people, through the instrument of a constituent assembly, will determine the constitution of the State as well as the sphere of Union jurisdiction over the State.

At present, the legislature which was known as the PrajaSabha in the State is dead. Neither that legislature nor a constituent assembly can be convoked or can function until complete peace comes to prevail in that State. We have therefore to deal with the Government of the State which, as represented in its Council of Ministers, reflects the opinion of the largest political party in the State. Till a constituent assembly comes into being, only an interim arrangement is possible and not an arrangement which could at once be brought into line with the arrangement that exists in the case of the other States.

Now, if you remember the viewpoints that I have mentioned, it

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is an inevitable conclusion that, at the present moment, we could establish only an interim system. Article 306A is an attempt to establish such a system.

I shall now proceed to take the House through the provisions of this article. As honourable Members will remember, the constitution of Indian States is mainly governed by article 211A of this Constitution which applies the Constitution to Indian States, subject to the modifications contained in Part VI-A read with the Schedule. So far as that provision in concerned, I have already indicated to you that the provisions regarding the Constitution of other States could not at present be applied to Jammu and Kashmir. Therefore, clause 91) (a) of this article says that the provisions of article 211A of this Constitution shall not apply to the State of Jammu and Kashmir.

The Second portion of this article relates to the legislative authority of Parliament over the Jammu and Kashmir State. This governed primarily by the Instrument of Accession. Broadly speaking, that legislative power is confined to the three subjects of defence, foreign affairs and communications, but as a matter of fact these broad categories include a number of items which are listed in the Instrument of Accession. I believe they number some twenty to twenty-five. Now, these items have undergone a change in description, in numbering, in arrangement, as amongst themselves, in List I and List III of the new Constitution. It is therefore necessary that the items mentioned in the Instrument of Accession should be brought into line with the changed designations of entries in Lists I and III of the new Constitution. So, clause (1) (b) of article 306A says that this listing of the items as per the terms of the new Constitution should be done by the President in consultation with the government of the Sate.

Clause (b)(ii) refers to possible additions to the List in the Instrument of Accession, and these additions could be made according to the provisions of this article with the concurrence of the government of the Sate. The idea is that even before the Constituent Assembly meets, it may be necessary in the interests

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of both the Centre and the State that certain items which are not included in the Instrument of Accession would be appropriately added to the List in that Instrument so that administration, legislation and executive action might be furthered, and as this may happen before the Constituent Assembly meets, the only authority from whom we can get consent for the addition is the Government of the State. That is provided for.

Then, there is the Explanation, which defines what the Government of the State means. The Government of the State is defined both in the Constitution which is now supposed to be in force in the Jammu and Kashmir State as well as in the Proclamation which the Maharaja issued on the 5th March, 1948. The terms of the Proclamation, to the extent that they are inconsistent with the provisions of the Constitution Act of the State, will prevail over that Constitution Act, and therefore it is that in this Explanation it is the Proclamation which is referred to. Under the terms of that Proclamation the Maharaja constituted an interim popular Government, and he said: -

"I hereby ordain as follows :-

(1) My Council of ministers shall consist of the Prime Minister and such other Ministers as may be appointed on the advice of the Prime Minister. I have by Royal Warrant appointed, Sheikh Mohd. Abdullah as the Prime Minister with effect from the 1st day of Marc 1948.

He proceeds -

"The Prime Minister and other Ministers would function as a Cabinet and act on the principle of joint responsibility."

Then there was no Legislature functioning, and so he instituted a kind of responsible Government with a Prime Minister and colleagues who would own collective responsibility for their acts and regard themselves as jointly responsible for all the acts of the Government. Now, that is brought out in this Explanation.

The HonourableShri K. Santhanam : The Explanation says that the Maharaja will be recognised by the Union instead of by the President.

The HonourableShri N. GopalaswamiAyyangar : Perhaps we

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may leave it to the Third Reading. As you know the scheme of the Constitution Act is that the Rajpramukh must be recognised by the President. So, this also says that the Maharaja of Jammu and Kashmir should be a persons recognised for the time being by the Union.

As regards the Council of Ministers, this Proclamation set up a system under which this Council was to be established, viz., that the Maharaja first finds the Prime minister and then on his advice appoints his colleagues, and the Explanation as now amended by me says that whatever Council of Ministers is in being at the time will, along with the Maharaja to whom they are responsible give their concurrence or give their advice on such matters as are referred to them under this article.

Clauses (c) and (d) refer to the provisions of the Constitution other than the matters listed in Lists I and III. These various provisions have been divided into certain categories. The first according to this draft is that article 1 of the Constitution will automatically apply. As you know, it describes the territory of India, and includes amongst these territories all the States mentioned in Part III, and Jammu and Kashmir is one of the States mentioned in Part III. With regard to the other provisions in the Constitution, these will apply to the Jammu and Kashmir State with such exceptions and modifications as may be decided on when the President issues an order to that effect. That Order can be issued in regard to subjects mentioned in the Instrument of Accession only after consultation with the Government of the State. In regard to other matters, the concurrence of that Government has to be taken.

Now, it is not the case, nor is it the intention of the members of the kashmir Government whom I took the opportunity of consulting before this draft was finalised - it is not their intention that the other provisions of the Constitution are not to apply. Their particular point of view is that these provision should apply only in cases where they can apply the only subject to such modifications or exceptions as the particular conditions of the Jammu and Kashmir State may require. I wish to say no more

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about that particular point at the present moment.

Then we come to clause (2). You will remember that several of these clauses provide for the concurrence of the Government of Jammu and Kashmir State. Now, these relate particularly to matters which are not mentioned in the Instrument of Accession, and it is one of our commitments to the people and Government of Kashmir that no such additions should be made except with the consent of the Constituent Assembly which may be called in the State for the purpose of framing its Constitution. In other words, what we are committed to is that these additions are matters for the determination of the Constituent Assembly of the State.

Now, you will recall that in some of the clauses of this article we have provided for the concurrence of the Government of the State. The government of the State feel that in view of the commitments already entered into between the State and the Centre, they cannot be regarded as final authorities for the giving of this concurrence, though they are prepared to give it in the interim periods but if they do give this concurrence, this clause provides that that concurrence should be placed before the Constituent Assembly when it meets and the Constituent Assembly may take whatever decisions it likes on those matters.

The last clause refers to what may happen later on. We have said article 211A will not apply to the Jammu and Kashmir State. But that cannot be a permanent feature of the Constitution of the State, and hope it will not be. So the provision is made that when the Constituent Assembly of the state has met and taken its decision both on the Constitution for the State and on the range of federal jurisdiction over the State, the President may on the recommendation of that Constituent Assembly issue an order that this article 306A shall either cease to be operative, or shall be operative only subject to such exceptions and modifications as may be specified by him. But before he issues any order of that kind the recommendation of the Constituent Assembly will be a condition precedent. That explains the whole of this article.

The effect of this article is that the Jammu and Kashmir State

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which is now a part of India will continue to be a part of India, will be a unit of the future Federal Republic of India and the Union Legislature will get jurisdiction to enact laws on matters specified either in the Instrument of Accession or by later addition with the concurrence of the Government of the State. And steps have to be taken for the purpose of convening a Constituent Assembly in due course which will go into the matters I have already referred to. When it has come to a decision on the different matters it will make a recommendation to the President who will either abrogate article 306A or direct that it shall apply with such modifications and exceptions as the Constituent Assembly may recommend. That, Sir, is briefly a description of the effect of this article, and I hope the House will carry it.

(Amendment Nos. 459, 460 and 461 were not moved)

ShriMahavirTyagi : (United Provinces : General) I am not in concurrence with the wording of the clauses, but I do not wish to move the amendments.

(Amendment No. 462 was not moved)

Mr. President : There is one more amendment of which notice was received this morning. That is by ShriMahavirTyagi to the effect 'that n amendment No.451 of List XX (Second Week), in the proviso to clause (3) of the proposed new article 306A" for the word "recommendation" the word "consultation" be substituted.
ShriMahavirTyagi : I am not moving that too.
Mr. President : The article is now open to discussion.
MaulanaHasratMohani : Sir, I want to make it clear at the very outset that I am neither opposed to all these concessions being granted to my Friend Sheikh Abdullah, not am I opposed to the acceptance of the Maharaja as the ruler of Kashmir. And if the Maharaja of Kashmir gets further powers and concessions I will be very glad. But what I object to is this. Why do you make this

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discrimination about this Ruler ? My. Ayyangar has himself admitted here that the administration of Kashmir State is not on a very good basis .....

Mr. President : Maulana, we are not concerned with the maharaja of Baroda here.

MaulanaHasratMohani : Well, I would not go into any detail. But I say that I object to this sot of thing. If you grant these concessions to the maharaja of Kashmir you should also withdraw your decision about the merger of Baroda into Bombay and allow all these concessions and many more concessions to the Baroda ruler also.

Mr. President: The question is :

"That with reference to Amendment No.379 of List XV (Second Week), after article 306, the following new article be inserted : -

'306A. (1) Not withstanding anything contained in this Constitution.

(a) the provisions of article 211A of this Constitution shall not apply in relation to the State of Jammu and Kashmir.

(b) the power of Parliament to make laws for the State shall be limited to

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India are the matters with respect to which the Dominion Legislature may make laws for the State; and

(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify;

Explanation :- For the purposes of this article, the government of the State means the person for the time being recognised by the union as the maharaja of Jammu and Kashmir, acting on the advice of the Council of Ministers, for the time being in office, under the Maharaja's Proclamation, dated the fifth day of Marc, 1948.

(c) the provisions of article 1 of this Constitution shall apply in relation to the State;

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(b) such of the other provision of this Constitution and subject to such exceptions and modifications shall apply in relation to the State as the President may by order specify:

Provided that no such order which relates to the matters specified in the Instrument of Accession of the State aforesaid shall be issued except in consultation with the Government of the State:

Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

(2) If the concurrence of the Government of the State referred to in sub-clause (b)

(ii) or in the second proviso to sub-clause (d) of clause (1) was given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

(3) Notwithstanding anything in the preceding clause of this article, the President may, by public notification declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify:

Provided that the recommendation of the Constituent Assembly of the State shall be necessary before the President issues such a notification[1]."

The motion was adopted.

Article 306A was added to the Constitution.

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THE VICTIMS OF 35-A

Women of J&K

Do the women of Jammu and Kashmir enjoy the same rights as men?

Seems an odd question, right? After all, the Constitution of India guarantees gender equality across the country.

Unfortunately, for women of Jammu-Kashmir state, this question is relevant. And ironically, it's relevant because of the law of the state. And the answer is: NO, the women of Jammu and Kashmir do not enjoy the same rights as men.

Laws prevalent in the state of J&K clearly violate the principle of gender equality. The state government treats women differently from men and has so far managed to get away with it.

The helpless women of the State of Jammu and Kashmir continue to be victims of severe gender discriminations 68 years after independence. This state of affairs has been created by vested interests through provisions introduced by the presidential order of 1954, which was brought in via backdoor under cover of Article 370.

Here is how:

If a man marries outside the state:

Men of Jammu-Kashmir state (read: permanent residents) who marry outside the state can bring home their wives.

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These wives are entitled to the permanent resident certificate (PRC) and all 'privileges' it entails. These women may be from any part of the world, within India or abroad.

Children born from these women will also get PRC rights in J&K without hassle. They can enroll in any school or college funded by the state government. They also have the right to get admissions to state-run professional colleges.

If a woman marries outside the state:

When women belonging to the state of Jammu-Kashmir marry outsiders, they cannot settle in the state even if the circumstances so demand.

A man from another state marrying J&K a woman cannot get PRC, hence none of the associated benefits. Which means he cannot buy land, cannot apply for a government job, his children cannot study in state-run professional colleges and institutes...

This means if a woman marries outside the state, she is virtually forced to leave the state and settle elsewhere. Earlier, such women used to completely lose the 'permanent resident status'.

After a long legal battle, in 2002, the women of the State won the right to retain their PRC or permanent resident status after marriage. But the discrimination continues – because their children are still not eligible for PRC, which means they cannot get admissions to professional colleges and cannot apply for state government jobs. They also cannot inherit their mother's property or buy property themselves.

Such a situation is particularly traumatic and extraordinarily painful for women who marry 'outsiders' and later get widowed or divorced. They face added trauma as their

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children have no future in the state of Jammu-Kashmir.

Both Hindu and Muslim women are victims of this law, although more women from the former community are affected due to the practices regarding marriages.

Incidentally, the PRC provisions impact the Jammu region more than the people of Kashmir. This happens mainly because many areas of the Jammu region are contiguous to Punjab and Himachal Pradesh. Cultural and familial bonds often lead to inter-state marriages.

This gender discrimination in J&K can best be illustrated by quoting the example of one family alone - the Abdullah family itself.

Sheikh Mohammed Abdullah's son, Dr Farooq Abdullah, married a Christian British citizen, Mollie, who became a naturalized citizen of Jammu-Kashmir by marrying a male citizen (Farooq). She got all the rights of a permanent resident though she was a British citizen. Her children also got all the rights in J&K.

Farooq's son Omar married an outsider, Payal, a Hindu, and she became a naturalized permanent resident by marrying a male citizen of J&K. Payal and Omar's children enjoy all the rights of permanent resident status in J&K.

Farooq and Mollie's daughter Sara Abdullah, on the other hand, married Sachin Pilot, then UPA minister. After marriage, Sara's rights in J&K got severely curtailed. Her husband Sachin and children are not eligible for PRC and its connected 'privileges'. Sara's children have no right over any property she might own in the state of J&K.

Sunanda Pushkar's experience is another case in point.

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Sunanda's first husband was from Kerala. After Sunanda got widowed, she sought to get back the 'permanent resident' status but was refused. Even after the above mentioned judgment, she found her son still had no right to inherit or buy property in J&K. After her marriage to then Cabinet minister Shashi Tharoor, Sunanda once shared her experiences in an interview with Barkha Dutt on NDTV. This video is available on YouTube.

Retrograde Politics

Many affected women of Jammu and Kashmir, from different communities, went to court challenging the law. The Jammu and Kashmir High Court clubbed all the petitions together and gave a verdict on cases challenging this gender discrimination.

In the final paragraph of the verdict, Justice V.K. Jhanji wrote:

"Accordingly, I hold that the daughter of a permanent resident of the State of Jammu and Kashmir will not lose status as a permanent resident of the State of Jammu and Kashmir on her marriage with a person, who is not a permanent resident of the State of Jammu and Kashmir."

In March 2004, the then government headed by Mufti Mohammed Sayeed tried to overturn this verdict when it brought in the infamous Bill named ***"The Jammu and Kashmir Permanent Resident (Disqualification) Bill 2004"***. The aims and objects of the legislation as set out in the preamble were: ***"A Bill to provide for disqualification from being a permanent resident of the State on marriage of a female permanent resident with a non-permanent resident".***

The Bill was passed by the Legislative Assembly unanimously within minutes of being moved by PDP's Law Minister Muzaffar Hussein Beigh. It is noteworthy that the two main rival political parties of the State, the ruling PDP and opposition party National Conference (NC), voted together on this Bill.

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There were massive protests in the Jammu region against this Bill. Under immense pressure from the people and both the BJP (opposition party) and the Congress (coalition partner of PDP), the Bill was not passed in the Legislative Council as the House was adjourned sine die suddenly on March 11, 2004.

The Bill lapsed and could not become a law. Had it been passed, it would have come into force retrospectively with effect from October 7, 2002, the day the High Court delivered its judgment.

Recently, Farooq Abdullah tied himself in knots and finally stomped out of an on-air TV interview with Barkha Dutt when asked pointed questions regarding the anti-women law and how his own daughter was affected by it.

West-Pakistan Refugees

Those who migrated from West Pakistan to the Indian state of Jammu-Kashmir during Partition in 1947 have been living there since last 68 years. But over six decades later, they are still identified as 'refugees' and forced to live in 'camps'. Even the third generation is tagged as 'refugees' and denied rights and privileges that should have been immediately granted to those who were forced to migrate from Pakistan.

Compare their situation with those who migrated from Pakistan to other parts of India such as Delhi, Mumbai, Surat etc. They were rehabilitated with a number of welfare measures such as allotment of houses, jobs etc. In fact, their integration into the mainstream was virtually seamless. Today, they are the rightful citizens of India, enjoying every right and privilege that the Constitution of India confers on all Indians.

After over six decades of living like bonded labour, these families want to be free of the 'refugee' tag.

It is high time the governments give them their rightful

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place in the democratic set-up and bestow every privilege enjoyed by all Indians by virtue of being citizens of India.

The discrimination

Around 5,764 families consisting of 47,215 persons migrated from West Pakistan to different areas of Jammu Division.

No land was allotted to them by the State Government.

These refugees were able to occupy some land, which was later allowed to be retained by them without conferring upon them the title of land because of their non-permanent resident status. This means they can stay on this land, but cannot sell it or buy any other property.

West Pakistan Refugees (WPR) are mostly from the deprived sections and more than 80% of them belong to the Scheduled Castes. The J&K law for them means – they can be tillers, labourers, tenants but not land-owners and land-lords.

After six decades, their population has grown manifold. By some estimates, it's about three lakh now. It's obvious that the land they could retain six decades ago cannot be sufficient now. Denied 'permanent resident status' in Jammu & Kashmir, WPRs cannot get a job in the State Government.

WPR families can't avail the benefits of various social welfare schemes launched by the State Government. No other benefits of any kind have been granted to them.

Their children are not entitled to scholarships and freeships available to PRC holders.

Members of WPR families cannot get admissions in any state-run professional colleges.

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They are not even eligible to cast their vote for State Assembly elections.

They have no participation in local village panchayats and other self-governing bodies up to the district level. This has brought them down to the level of second class citizens as they have no role in law-making at the state level. When the authorities at the Central and State levels took a number of steps to rehabilitate even the nomadic tribes by allotting them lands on permanent ownership basis, nobody cared for these 'refugees' from West Pakistan!

Is it acceptable that victims of Partition, who entered Indian territory in the hope of succor, continue to be persecuted at the hands of Indian authorities?

Valmikis

The most depressing story is that of safai karamcharis in Jammu-Kashmir.

In 1957, around 200 Valmiki families were brought from Punjab to Jammu-Kashmir, following a cabinet decision, specifically to be employed as Safai Karamcharis (sweepers). These families agreed to work in the state after being promised that the 'permanent resident' clause would be relaxed in their favour.

After a lapse of five decades, family strength of each family has increased and number of employees has gone up. However, their plight is that they are 'permanent residents' of Jammu-Kashmir only to the extent of being Safai Karamcharis!

Their children have studied up to graduation level but are not eligible to apply for government jobs.

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Their children cannot get admission to government-run professional institutes.

NOTE: The educated youth from these Valmiki families are only eligible to be appointed as safai karamcharis!

The educated Safai-Karamcharis already working in Jammu Municipality now qualify for further promotions. But as they can only be employed as sweepers, there is no hope.

These Safai-Karamcharis can vote for Lok Sabha elections, but not for State Assembly or municipality elections.

The colony that was allotted to Safai Karamcharis to live in (Valmiki Colony, Gandhi Nagar, Jammu) has not been regularized till date.

Is this not the worst kind of slavery practiced in the modern world?

GORKHAS OF J&K

Gorkhas settled in Jammu-Kashmir in the 18th century and a majority of them were soldiers and families that fought in the ranks of Maharaja Ranjit Singh of Punjab, whose commander-in-chief was Gulab Singh, a landlord of Jammu.

Their population numbers around one lakh and is spread across JK, including Kashmir Valley.

They have resided in Jammu-Kashmir for over hundred years, since before Independence. There are innumerable instances of Gorkhas who have made supreme sacrifices for the integrity of India and the safety of JK.

Unfortunately, however, they have never got the rights

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they deserve in independent and democratic India. The Gorkhas in fact feel their miseries have increased manifold since Independence.

They face big hurdles in getting the Permanent Residence Certificate (PRC) of JK, without which educated young Gorkha boys and girls cannot get a government job or admission into educational institutes.

Hence, they remain economically, socially and educationally backward.

In the background of this submission, it appears that Article 35A does not seem to be compatible with the basic feature of the Constitution of India. It is a grave constitutional issue and the Supreme Court of India should take cognizance of the matter.

Ref: From the book Plight of Kashmir by G.D. Sharma

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STATEMENT BY PT. PREM NATH DOGRA, PRESIDENT, J&K PRAJA PARISHAD & MEMBER OF THE STATE LEGISLATIVE ASSEMBLY GIVEN OUT AT A PRESS CONFERENCE IN NEW DELHI ON 13-02-1959.

The growing deterioration in the internal situation of Jammu & Kashmir State , if not improved in time, is bound to affect adversely the wider interest of India as a whole. The need for greater attention and speed improvement in the situation has been made imperative by the recent developments in Pakistan, intensification of the Pakistani propaganda and preparations for sabotage and war from inside and outside this strategic part of India.

Eleven years have passed since Jammu & Kashmir state, which has been an integral part of India, historically, geographically and culturally all through the ages, acceded to India according to the procedure laid down in the Mountbatten Plan. It was then hoped that the anamolies in the relationship of Jammu & Kashmir with the rest of India will be removed and its people, as citizens of India, will be given opportunity to turn a new leaf in their leaves and live as equal citizens of India enjoying the rights and liberties guaranteed by the constitution of India.

But these hopes and aspirations have remained unfulfilled so far. The govt. of India has thought it fit to lay store more by a few individuals, first Shiekh Abdullah and now Bakshi Ghulam Mohammad, are more interested in keeping

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themselves in power by denying to the people their basic rights and liberties, than in developing spirit of unity and equality in the people of the State and their brethren in the rest of India. It is this desire to keep power in his own hands which motivated Shiekh Abdullah to insist upon a separate constitutional for the Sate which gave him and his government special and unchallenged powers to ride through shod over the basic rights, Liberties and aspirations of the people to be one with the rest of India.

With the downfall of Shiekh Abdullah and rise of Bakshi Ghulam Mohammad to power hopes were raised once again that anomalies in the relationship of Jammu & Kashmir State with the rest of India will be removed once for all and that disabilities from which the people of the State were suffering because of the discrimination made against the State in the Constitution of India will be done away with. But we are pained to say that even though five years have passed since that change over, little has been done to remove that discrimination.
Special powers enjoyed by the ruling janta in the state as a result of that discrimination are being exploited to suppress democratic opposition through organised lawlessness and political corruption to perpetuate its own power. The normal safeguards for the liberties judiciary, free and fair elections and impartial and efficient administration have virtually ceased to exist in the state.

LAWLESNESS:- As a result of the absence of full jurisdiction of the Supreme Court of India over the State and corrupting influence of the ruling junta civil liberties of the people in the State have been severely curbed and organised goondaism for the suppression of real or supposed political opponents of the ruling junta has been the order of the day. Not to speak of ordinary people even prominent people like Thakur Rajinder Singh M.L.A., Syad Mir kasim M.L.A., sh. Ghulam Rasool Kar M.L.A., Sh. Abdul Rehman and Sardar Bachan Singh

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Panchhi; both members of the Praja Parishad executive ; and Sh. Ghulam Mohmmad Renzu ex-speaker of the State Assembly have been yhe victim of the this lawlessness during the last two years. O the other hand proclaimed breakers of law have been allowed to go soot free and even criminal cases against such people have been withdrawn simply because they belonged to the ruling party. Naturally thus has created a sense of insecurity among the people who are fast loosing their faith in the administration.

RIGGED ELECTIONS:- Elections which are the ultimate and effective means of expressing a peoples feeling and democratic State have been reduced to a farce in the State. Since the jurisdiction of the Election Commission of India does not extend to the State, the last elections of the State Assembly were conducted by an election officer appointed by the State Government in a most irresponsible and partial manner. Te entire official machinery was mobilised to support the ruling party. Bundles of blank ballot papers were distributed among the workers of the ruling party in advance, and ballot boxes were tampered with and when, as in the case or Reasi constituency, it was discovered that Praja parishad candidate was leading by 2162 votes in spite of all these precautions, repolling was ordered in four polling stations made up the lead of over 2000 votes but also gave the National conference candidate a lead of about 500 votes. The way it was done can be well understood by the details of the voting. At Tulibenna polling station it was shown that out of a total electorate of 1590, 1570 turned up to vote and out of them 1550 voted for National Conference. It was found on enquiry that of the 20 who did not turn up to vote 12 were deed and 8 were in jail. This not a miracle, when the entire polling a area was hilly and the voters had to come from distances of six to seven miles to vote. Cancellation of the nomination papers of the opposition candidates on most flimsy grounds is a very general feature.

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Twenty election petitions challenging the election of National Conference candidates from Jammu province here been filed but only one has been decided so far. Only one single member tribunal has been appointed to hear these petitions and he functions from Srinagar while all the petitions are from Jammu province, It is therefore, presumed Ghat not a single petition be decided till about the end of the present term of the State Assembly.

Not content with this kind of 'rigging of assembly elections, Bakhshi Ghulam Mohemmed ' party has begun to adopt similar methods in elect ions to the local bodies. Efforts are openly made to force the opposition candidates to withdraw from the contest, their proposers kidnapped, and man-handled. Shri Ganjer Singh, Praja Prishad candidate for Kathua Town are Committee was forced to withdrew almost on the point of bayonet by the Deputy Commissioner of the district, Whet is worse, defeated National Conference candidetes ere declared elected, as happened at Bishnah, When the successful Praja Parishad candidate protested against this most glaring high handedness he was arrested and tortured in police look up.

POLITICAL CORRUPTION AND PARTISAN ADMINISTRATION:- To top all , political corruption and nepotism has been carried to the farthest limits. Contracts, route— permits and other kind of allurements are being used to win over the opposition people and reward the supporters of the ruling party. Funds 3110tted for Five Year Plan are being misused for party work and corrupt and inefficient but partisan officials are being given preference over honest and efficient officials a This has demoralised the services.

All this has been severely taxing the patience of the people whose faith in the administration and democratic remedies has been very much undermined, As a result discontent in the State is growing end the nationalist and

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patriotic forces are feeling frustrated. Enemy agents are taking full advantage of the situation by putting the whole blame on the Government of India which is represented as the power and Sanction behind the rampant corruption, nepotism and lawlessness in the State.

It has therefore, become a matter of imperative importance and urgency that this state of affairs in the State is changed without any delay. This demands that the existing discrimination against the people of the State inherent in section 370 of the Indian Constitution be removed and they be given the benefit of the rights and liberties guaranteed to the citizens of India by the Indian Constitution in full. Pending the full application of the constitution of India to the State to bring it in line with other States of India without which real end emotional unity of the people of the State with their brethren of the rest to other states of India is unthinkable. It proposed that the the following immediate steps should be teken : "

1. Jurisdiction of the Supreme Court of India should be extended to t he State in full and the conduct of elections there be brought under the control of Election Commission of India

2. Since the State officials have lost all independence and integrity and have become demoralised senior staff for conducting elections should be deputed from India.

3. Elections to the local bodies so far held be scrapped and fresh elections ordered under the supervision of a high and impartial judicial officer.

4. People of the State be given the right to elect their representatives to the Lok Sabha directly and that elections must be conducted by the administration.

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5. The State officials promoted to I.A.S. end I.P.S. cadres be sent outside for gaining experience training and some experience I.A.S & I. P.S. officers holding independent views from the others parts of the country to be sent to the State to tone up the State administration.

6. An all party planning advisory committee including experts in the industry etc. Should be set up to advise and guide the State in respect of schemes to be taken up and money to be spent for the plan purpose.

Bharatiya Jana Sangh Central Office, Ajmeri Gate, Delhi, 13th Feb.1959

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THE FRAMING OF THE JAMMU AND KASHMIR'S CONSTITUTION - 1957

As a constitution state of the Union of India, Kashmir has held the unique distinction of having its constitution drawn by its own Consembly. Based on the Instrument of Accession, the Kashmir's special status has since been crystallized in Article 370 of the Union Constitution. These circumstances have, thus, offered an opportunity for the study of Constitution making in the one and the only sub-system of the Indian political system as it has developed since independence.

An attempt has been made to analyse not merely the formation and features of a bare constitutional framework but also the politico-socio- economic forces which powerfully influenced the making and the final shape of the Kashmir polity. Transcending legal formalism and jargon, an effort has been made to perceive the entire scenario of the Constitution making process as a part of the wider and more fundamental and pervasive nation building and the political developments which they have evidently and perhaps necessarily involved.

No society is static and immutable to laws of political development. The history of what now are called the developed societies of the west and elsewhere shows that they too have undergone a long evolutionary course of changes which transformed them from a medieval phase into unified modernized nations with well-developed constitutional system. It is possible to view all societies as being an open-ended continuum, following the laws of politico-socio-economic

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development and almost invariably involving the growth of nationalism as a vital factor thereof. The phenomenon has gradually been extended to several countries of Asia, Africa and Laton America. The growth of the twin process of national awakening and nation- building have been more recently at work in the different societies of Asia and Africa which experienced a long spell of foreign rule.

A developing society such as India offers a typical case of Nation building in a pluralistic background. This is considerably so in the various constituent units which comprise the country.

On a relatively micro-level, one may observe the pluralistic nature Of the society in Jammu and Kashmir and its impact on the state's constitution and the particular relationship it has come to form with the Indian union. Here it seems relevant to point out that the nation-building which is increasingly facilitated and prompted by the various forces and factors of modernization and national integration, has in the very nature of the things, to contend with the divisive and conflicting diversities prevalent in a pluralistic society. In this connection, the society in Jammu and Kashmir is a sort of miniature of the country as a whole. The pluralism, here, as elsewhere, lies principally in the multiplicity of religions, languages, races, regional or sub-regional cultures and ethnic make-up of the population. The state's strategic location and geographical factors have also impinged on its course of political and constitutional development. It may, therefore, be enough to stress that geographically, demographically, culturally, linguistically, racially and ethnically, the Kashmir state is not a homogeneous but heterogeneous unit. As a matter of fact it consists of three broad and disparate regions—Jammu, Kashmir valley and Ladakh. Historically through a process of political accretion and conquest these were lumped together by the early Dogra rulers and subjected, over the years, to some degree of political unification under centralised and autocratic rule.

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The model implicit in the present analysis on "the framing of Jammu and Kashmir's Constitution" is that of a society in transition, a transition from medieval towards a modem phase. Pluralism being a usual feature of a medieval society under change, our investigations confirm the presence of the pluralistic features and the change they are to experience on account of the process of transformation and modernization which have been at work for a fairly long time, and in so far as they relate to the constitutional development.

An important dimension of the political development which is an integral part of modernization is the growth of political institutions. In Kashmir, during a century of the Dogra rule, there occur the evolutions of the Executive, the Legislative and the judicial organs of government on modern lines,

The withdrawal of the British power from the sub-continent, the transfer of power and the partition of the country caused a further and an accelerated impetus to political development and the state rapidly moved, in a later phase, from autocracy to democracy. In the entire gamut of events and situations which have marked this movement the narrative or chronicle is not as important as the perspective of modernization in which it attains a lot of meaningfulness of political development. As said earlier that the idea of having a constitutional body for the state was first mooted in a representation submitted to Lord Reading in 1924. To have a popularly elected constituent Assembly for training Kashmiris constitution was once again conceived by the All Jammu and Kashmir Natural Conference. The demand for the constituting Consembly for the state was, however, figured prominently at its sopore convention of 1944. The Convention committed the party to the New Kashmir programme-Socio-economic plan for the formation of a truely socialistic state in Kashmir-to be implemented under a democratic government. After independence, Sheikh Abdullah, highlighted it again in a

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resolution adopted by the party's convention held in 1948, Historically, the state's accession to the Indian Union, the Government of India's insistence on the Maharaja that he should entrust the administration to ..a popular leadership, the Maharaja's proclamation of March 5,1948, replacing the emergency administration by the interim government with Sheikh Abdullah at the head, and the interim government's determination to set up a Constituent Assembly in the near future have had their respective factual significance. The proclamation ,by Yuvraj Karan Singh regarding convening a consembly made on April 30,1 951 , the resultant elections based on adult suffrage, opposition boycott and the first meeting of the consembly on October 31, 1951 , at Srinagar are among other events of some significance to the constitutional history of Jammu and Kashmir. They are mentioned here simply to under put two significant intra-system and inter-system interactions, as they have had a considerable influence on the substances of the constitution as hammered into shape by the consembly. Firstly, on I ndia's complaint to U.N.O. over Pak aggression in Kashmir, the international system came to have something to do with the constitutional development system in Kashmir. Some imperialistic powers had their eyes on this strategically important land. Secondly, nearer home and in Jammu region of the state, the Praja Parishad, a largely Hindu Communal party advocated the retention of the institution of the Maharaja as a Constitutional head of the state, closer ties between the state and India and the abrogation of Art. 370 conferring a special status on the state. It rejected, out rightly, a separate consembly for the state and the institution of Sadar-i-Riyasat. As the elections to the consembly were unopposed, there was a general feeling of suspicion that the elections were unfair. Empirical investigations into the sociological background of the members of the consembly revealed certain significant facts. The analysis of the data has, however, shown that the Muslims formed the largest communal group represented in the consembly. From females were drawn only two women, and that too from Jammu

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province. Highest percentage of members had university degrees. There was some percentage who could simply read and write. The youth were more represented in consembly than any other age group. In most cases political socialization had taken place between the age of 15 and 20 years. Most of the members thus had remained active in politics since 1931, when the seed for the struggle for freedom was sown in the state. 30.77% members had been sentenced to jail for different political activities. The largest number of members had politics as their occupation and represented annual income groups of below Bs. 5,000. The majority of the members had neither previous legislative, administrative nor local government experience.

However, empirical investigation also revealed certain significant trends in the formation of the committees. The majority of the members pointed out that expert knowledge was the criterion for the nomination in committees, no limit was set as to the number of committees to which a member could be nominated and there was no substantial reasons for the exclusion of any member from any or all the committees.

Taking a comparative look at the State of affairs at the party level and leadership, as it was reflected in the day to day working of the consembly, following facts meet the eye of an observer:

(a) The National Conference was the state's most 'well organised and oldest party comparable in some way to the Indian National Congress.
(b) The party out rightly rejected the two-nation theory and gave a lead to the people to follow secularism, socialism and democracy; and
(c) The party was well organised, united and it stood solidly behind the readers.

The absence of the opposition in the consembly further

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facilitated its smooth functioning and about a dozen leaders played an active role as the constitution makers. Until the crisis of 1953 the party stood solidly behind Sheikh Abdullah and his colleagues.

"Constitution-making in crisis and reconstitution of committees" may perhaps throws a meaningful light on certain basic issues and puts into bold relief some of the patterns and directions of the different forces on the final shape of the Kashmir Constitution. As a matter of fact, the instrument of government, which ultimately, emerged has been the cumulative result of interactions and polarization which developed and occurred as between certain concepts and forces within the state's own sub-system, and between it and the union political system.

As mentioned earlier the crisis was the result of the motivational variations arising out of varied political considerations and failure of the leadership at various levels to reconcile the various claims and aspirations. One may discern behind all the political drama on the stage, a deep- seated search for security on the part of the Dogra Nationalists and Kashmir Nationalist.

As already pointed out that the popular sentiment in Jammu region, believing the Maharaja as the symbol of their security against the majority population of Kashmir region, sided with the Maharaja in his attempt to retain more and more powers in pre-independence period. It seemed to Dogra Nationalism that prospects of democracy would be nothing more than being exposed to the whims of a permanent of the state and its leadership. But after independence the people of Jammu region, believing their greater security to be with in Indian union, demanded full integration of the state with India and the abrogation of Art. 370 under which the state.

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The popular sentiment in Kashmir region, on the other hand, in order secured special status. to have a greater security against the Maharaja's arbitrary authority struggled for the transfer of greater degree of power to the State Legislature (Praja Sabha) in pre-independence period. They perceived their security only in democracy which among other attributes, means majority rule. But in post-independence period due to their minority against Indian majority, Kashmiri Nationalists wanted maximum autonomy and stood for limited accession of the state with the Indian union, thus making Art. 370 as a permanent feature of the Indian Constitution.

As said earlier the attitudes of the Dogra Nationalism as well as some national level parties had led to polarizing effect on the autonomists and secessionists in the valley. Sheikh Abdullah's effort all along had been to rally the entire population of the state to a sense of a basic unity and to work for the cause of building the New Kashmir. All along he tried to avoid the disintegration of the state. In order to accommodate the wishes of the masses of the different regional and cultural units, he and his colleagues were working to create a "Republic within the Republic." He had been unduly blamed for the tone and contents of his main speeches delivered in 1952 and in 1953 shortly before his dismissal and arrest.

The change in the leadership necessitated the reconstitution of some of the special committees in the Constituent Assembly. Empirical investigations into the sociological background of the members of the reconstituted committees revealed certain significant facts. The tendency was to over represent majority and under-represent minority groups. From females were drawn only two members and that too from Jammu region.

The highest percentage of the members of the committees were educated. As the major work of constitution

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framing is usually done in the committees, the law-graduate, therefore, formed a single majority group in the committees; the law graduate, therefore, and formed a single major group in the Committees. Most of the members had remained active in politics since 1931. Sufficient representation was given to those who had taken part in the struggle for freedom in Kashmir. As Kashmir is principally an agricultural area, the largest number of the members of the Committees had agriculture as their profession. The largest number of the member of the Committees representation an annual income group below Rs. 5,000. Majority of the members of the Committees had neither previous legislative, administration nor local government's experience.

Empirical Investigations reveal certain facts about the working of the Committees of the consembly. Seventy percent of the members were of the opinion that the decisions in the Committee meetings were arrived at after free and frank discussions, Forty-five percent of the members were of the view that the decisions were not made outside the Committees. But forty-two and half percent did not agree. They were of the view that decisions were made outside the Committees and the Committees simply confirmed them. The majority of members who replied in affirmative were of the view that the decisions were made up by two or three important party leaders. All amendments but one came from the government and the fate of one amendment was not clear from the records. This offers an opportunity for finding the role perception of the members. It appears that most of them were not aware of the role they were called upon to play and had hardly any perception thereof. Thorough going leadership was provided by two or three top elite leaders and others almost dittoed their decision. Want of a clear perception of their role facilitated floor crossing on the part of members towards support of 'Bakshi Ghulam Mohd. Notwithstanding that they were with the Sheikh before August 1953. In response to the query as to how many draft constitutions

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other than the final draft were presented to the drafting committee, one third of the members of the drafting Committee reported that there were two drafts. The overwhelming majority of other members of the Consembly, who responded to the query and who had not been the members of the drafting committee, mentioned that there was only one draft.

While the top leadership was keen to pt0Ject a secularist, socialist and democratic perspective in the debates of the Consembly, some of the members appeared to be dominated by the communal and caste thinking. Harijan members strongly sponsored some kind ot safeguards for the reservation and promotion of the interest of Scheduled Castes. The Sikh members, who belong to a microscopic minority in the state, were likewise keen to promote safeguards for the interests of their community. Some members representing backward areas wanted safeguards and reservations for the inhabitants of their areas in Civil services. Out of the two female members, only one advocated occasionally the case of women whom she regarded more backward than menfolk.

All amendments, except one, which were adopted at the end of the discussion thereon had been sponsored and moved by Ministers.

Very few members happened to articulate on the floor of the consembly. An overwhelming many remained silent but they voted when the occasion so demanded.

Some of the members were not at all serious as they were either absent at the time when the amendments sponsored by them were to be taken up for discussion or even though present, they dropped their moves. Most of the amendments were withdrawn after a brief discussion. In some cases the mover withdrew the amendment without giving any reason thereof.

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In response to the query on the role and influence the Government of India had on the framing of the Constitution, about half of the members refused to reply. 20% were of the view that there were consultations only. Similarly 40% of the members refused to reply to the query whether there was any Indian political party or parties at national or state level which influenced the Constitution making. 22.50% of the members replied in negative. 30% of the members were of the view that it was the result of the action and interaction of internal and external influences. 10% were of the view that it was the result of outside influence. Whereas 42.50% of the members refused to reply.

"Evolution of the Constitution as Framed by the Consembly" provides comprehensive view of the different important aspects of the constitution framed by the consembly. As a legal document, the framing of the Jammu and Kashmir's constitution formally began in October 1951 and ended in November 1956.

As we are inching our way to the tail of the conclusion, it seems necessary to reiterate what has been discussed as the four phases in the evolution of the policy of Constitution making in Jammu and Kashmir and finally to have an Instrument of accession and article 370 of the Constitution.

The first phase started with the state's accession to Indian union, way back in October 1947 and terminated with the Sheikh's dismissal as prime minister and arrest in 1953. The chief actor who held the stage during this period was no other than Sheikh Abdullah who had ever symbolized Kashmiri nationalism and the urge to keep Kashmir autonomous throughout the state's recent history. The constitution making and the thinking involved in the process was motivated by the quest to recognise and give a separate distinctive Constitutional personality to the state of Jammu and Kashmir. The aspirants of

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Kashmiri nationalism came to be spelt out in Art, 370 of the Indian Constitution, the Delhi Agreement of 1952, adaptation of elected head of the state known as Sadar-i-Riyasat, the desire to have a separate flag, separate emblem and the desire to concede autonomy to the major and distinct territorial and cultural units Of the state, conceiving the idea of creating a "Republic within a Republic". In this phase, the stress and focus of attention remained constantly on the state's greater autonomous position within the Indian federal polity. It may be proper to point out that although the erstwhile Maharaja of the state and the Kashmiri leader Sheikh Abdullah happened to be on the opposite side of the Kashmir drama, yet it is an irony of fate and circumstances that each had a firm stand on the question of maximum possible autonomy be sacrificed at any cost and they were ready to have a constitutional set- up in which all major cultural units could have a larger measure of internal autonomy. In the second phase which comprises approximately, a decade of Bakshi Ghulam Mohd's. Premiership (1953-63) the Kashmiri leadership tended to move from larger autonomy to limited autonomy. To realise this in concrete terms, it embarked upon a cautious and partial integration beyond the position already reached up to the time of the dismissal of Shiekh Abdullah.

The will to chisel a distinctive constitutional personality of the state became flabby. The Constitution took increasingly the shape of carbon copy of the Indian Constitution with certain separate features to accommodate the political culture of Kashmir and local sentiments.

Some pro-Abdullah MLA's, unless they happened to be in prisons, played a limited role of opposition in the discussion relating to the Constitution then in the making.

The third phase mainly occupied Mr. Sadiq's years as Chief Minister beginning early in 1964 down to his death in December 1971. For reasons already enunciated, Mr. Sadiq

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thought the time ripe for a progressive integration of the state with the union and many steps, including the extension of some of the beneficial union laws at the request of the state government were taken in the direction. At a later stage, he was shrewd enough to realise that he was losing his popularity with the people in the valley largely on account of the progressive integration he had embarked upon, the alienation of some due to the reaction of the autonomists and, of course, of the secessionists. Shortly after, he took in hand a policy of liberalization vis-a-vis parties and placation of Shiekh Abdullah and his followers in an effort to rally the general support to his administration. The fourth phase commenced when the mantle of the leadership fell on Syed Mir Qasim on the death of Sadiq in December 1971. Syed Mir Qasim, before he became the Chief Minister was an untiring critic of the policy of liberalisation although he said little against the progressive integration.

However once in office as Chief Minister, he went further than Sadiq and offered to vacate his office in favour of a come-back on the part Of the Sheikh, following the Indira-Shiekh. Accord after protracted and prolonged negotiations by the emissaries of the two leaders. The accord stressed the basic element of the autonomy of the state, and the finality of Art. 370 of the Union Constitution. Sheikh had made no secret of the fact that he wanted the perpetual retention of the special status of the state in the Indian Union. In the general election to the Legislative Assembly held in 1977, he led the National Conference to overwhelming electoral victory. The party has made it admittedly clear that Art. 370 is an irrevocable provision on which rests the state's relationship with the Indian Union.

Assurances have been publicly given by the Prime Minister and Foreign Minister on behalf of the Janata government at the Centre that the government have absolutely no intention of deleting or in any way modifying the article unless the state government itself, as representing the people of

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the state, requests it to do so. In any case, with the return of Sheikh to state politics, the wheel seems to have gone full circle and we appear to be back to the policy of the first phase i.e. to the urge for the largest possible state autonomy, stressing the finality of the accession and the special status of the state as provided under Art. 370 of the Constitution of India and reflected further in the Indo-Kashmir Agreement of 1952 as well as in the Indira-Sheikh Accord of 1975.

More recently, stress is being placed on the state autonomy by different states of the union, 1 including Kashmir. If necessary, Article 370 may be made to act as a wall of demarcation of the powers of the centre and the state. The fact that concurrence of the state government is a Condition precedent to the extension of the centre's field to the state beyond the three subjects surrendered to the centre in the Instrument of the State's accession, it is a sound democratic basis of the state's partnership in the Indian federal set-up.

It is on the sheet anchor of this special relationship that the state's modelled the Constitution for which it was brought into existence Way back in 1951. However, we may perhaps be justified in concluding this analysis with the age old statement that the Constitution making is an Unceasing and continuous process, being co-extensive with a society under steady development and change.

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Political Fight in Jammu & Kashmir

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53-A

THE BATTLE OF RIZANGLA- A GLORIOUS CHAPTER OF 1962 WAR

Sardar Patel wrote a letter on 7th November 1950 to Pt. Nehru which has become a part of our history. Some weeks before his death, he had warned Pt. Nehru regarding the vulnerability of India from China due to the undefined state of our frontier with China and the unreliability of the Chinese. He requested the Prime Minister to deliberate upon this issue urgently but Pt. Nehru was too enamoured of his friendship with China to take any worthwhile action on the advice of Patel. Pt. Nehru never thought that the Chinese would betray his friendship as he had played a crucial role to bring the 'Pariah' nation in the mainstream of world community. His golden principles of Panch Sheel, he thought, were sufficient to take care of things on the northern frontier. Again, Pt. Nehru did not pay heed to the warning of Dr. Ambedkar when he advised Nehru that by allowing the Chinese to take possession of Lhasa, the PM had practically helped the Chinese to bring their influence down to the Indian border. Later on, the nation had to pay a heavy price for ignoring the timely advice of the two leaders known for their keen sense of realism.

China's forcible occupation of Aksai Chin, India's Tibet policy, grant of asylum to Dalai Lama in 1959, India' Forward Policy along the undefined border with China, some untimely and inappropriate statements by our political leadership had led to the straining of relations between the two countries to such an extent that it culminated in a war in 1962.

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India was one of the first countries to recognise People's Republic of China and was instrumental for China's entry in UN as well as ensuring it a permanent seat in the Security Council. India was so much tilted towards China that it boycotted San Francisco conference in 1952 because China had not been invited. However after some time the dragon started becoming hostile. She constructed road through our area. Aksai Chin which was under its illegal possession. There were frequent border skirmishes and India formulated its Forward Policy. Construction of border posts at some places were disputed by China. China also started to carry out border infringements. The most conspicuous flash point became Lacha in the eastern sector. Government wanted the army to evict the Chinese out. However Gen. Thappar opined that it was difficult to carry out such an operation because of the lack of preparedness on our part and the operational difficulties due to the approaching winter. Pt. Nehru agreed to the proposal but in early October while on the way to Colombo Pt. Nehru without evaluating the consequences of his statement declared in a press conference at Chennai that he had ordered the Forces to throw out the Chinese from the border posts occupied by them.

The Chinese took it as declaration of war and suddenly attacked us in NEFA and Ladakh on 20th of October, 1962. We did not expect such a reaction from the Chinese. We were not prepared for such a situation. In fact Defence Ministry was in shambles under Krishana Menon. Political interference was the order of the day and some blue-eyed boys like Gen. BM Kaul who lacked military acumen, were the policy framers. Others like the intelligence chief, BN Mullick had failed to ascertain the intentions and preparations of Chinese. In the circumstances we were taken by surprise when we were attacked. Brig. Dalvi's brigade bore the first brunt at Thag La in eastern sector. Later on we lost badly at Sela and Bomdilla in NEFA and at some fronts in Ladakh. Government groped in the dark to deal with the situation. Morale of the nation was at its low. Kuldip Nayyar, the

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noted journalist tells us that PM's radio broadcast 'my heart goes with the people of Assam' further alarmed the people in Assam to believe that the Government had left over. The Chinese had pushed 80,000 strong force against us and our deployment was merely of the order of 12,000 troops. Consequently, the well prepared large Chinese army overwhelmed us at many fronts. We faced debacle after debacle.

Despite these reverses, our brave soldiers exhibited some rare acts of bravery. We can single out a number of heroes, who fought whenever and wherever their commanders put them realistically and provided them the necessary leadership. Efforts of Captain NN Rawat are noteworthy in organising a fighting retreat. Similarly the strategic deployment and keeping intact his brigade by cool-headed Brig. Gurbax Singh by marshalling his formation as a cohesive unit and giving the Chinese a tough fight is remembered to this day. But the most glorious chapter was written by the indomitable Ahirs of the C Company of 13th Kumaon Regt. in the battle of Rizangla in Chushul Sector.

Chushul, headquarter of Chang Thang subdivision at the time is situated few kilometres south of Pangong lake in Ladakh. Rizangla is a small plateau is situated about 30 kms. east south of Chushul. Chushul is a narrow, thinly populated 40 km. long and about 10 kms wide valley with high mountains and passes on both sides. The great Dogra General Zorawar Singh had passed through the valley on his way to Tibet and still inspires the soldiers deployed in these lofty mountains. The soil is sandy and rocky. In the sparsely grassed valley some wild horses, the kyangs, few pairs of black-necked cranes, who are on the way of extinction and some marmots, find their homes there. The Ahirs were deployed here during the 1962 war and the C Company of the battalion was shouldering the responsibility on the nearby Rizangla pass. Chushul, being the important village and having an air-strip was on the radar of Chinese and of the

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routes for Chinese to reach. Chushul was through Rizangla. The Chinese had a lot of strategic advantages in the sector like the uninterrupted supply line and easy artillery support. The small Indian formation was left to their fate as the supply line was not regular. The Rizangla feature had a high hill at its back so no artillery shelling could be carried out to support the troops on Rizangla. Digging defences in the rocky soil was nearly impossible and the paucity of oxygen at a height of 16000 feet made movement of partially acclimatized soldiers difficult. The Ahirs were mainly armed with antiquated. 303 single shot bolt action rifles of the Second World War vintage which yielded an easy advantage to the enemy equipped with the modern weaponry.

Despite these locational and logistic disadvantages the Ahirs under the able leadership of their company commander Maj. Shaitan Singh Bhatti were in high spirits. On the night of 17-18 Nov. heavy snow storm had overtaken the battle zone and icy winds were benumbing any living being there. In the early morning our patrols noticed massive Chinese intrusion through the gullies. Thought the Chinese had brought their assaulting troops to their forward assembly under the cover of inclement weather, their intentions to given sudden surprise to the vigilant Ahirs failed miserably. The Indian soldiers were ready to face the assault of the dragons. Around 0500 hrs, the first wave of Chinese was sighted by the Ahirsmanning the defences and they were greeted with a hail of LMGs, MMGs and mortars fire. Scores of the enemy died, many were wounded but the rest duly reinforced and continued to advance. Soon the gullies leading to Rizangla were full of Chinese corpses. Constant wave after wave of the Chinese launched four more attacks which were beaten back. This dwindled the strength and ammunition of the defenders also and there was no hope of replenishments in the God's forsaken place.

By now the Chinese realized that Rizangla was not a cake

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walk and they resorted to heavy artillery and concentrated fire of recoilless guns. Our Jawans had no artillery support and no bunkers on the rocky feature. Simultaneously the Chinese had a detour and attacked from the back. In the meantime Major Shaitan Singh was moving from platoon to platoon motivating the depleting command. In the process he was hit by the enemy LMG fire on his arm but undaunted he kept motivating, regrouping and reorganising his handful men and weapons. His Company Hay. Major kept persuading him to move to safe place but he did not want to leave his comrades. Grievously injured and bleeding profusely, he was later pulled to safer place behind a boulder where he froze to martyrdom during the night. The Ahirs had fought bravely and even came out with bayonets when need arose. Naik Chandgi Ram a wrestler of repute had killed 6-7 Chinese single handedly with bayonet till he fell to martyrdom. Silence of war had engulfed Rizangla as the last round had been fired and the last soldier had bled to martyrdom. The Ahirs had exhibited a rare saga of unprecedented courage, valour and supreme sacrifice. 114 out of 120 soldiers sacrificed their lives. It is one of the few battles in the annals of war history of the world where such a high percentage of fighters fought so doggedly and fearlessly and attained martyrdom. There is only one other instance in the subcontinent where a similar bravery was exhibited. In 1897, 21 brave Sikh soldiers had killed 600 Afghans in the battle of Saragarhi before laying down their lives.

In January 1963, a local shepherd while wandering over Rizangla saw the awesome spectacle of the soldiers frozen to death but still clinging to their damaged weapons, mostly with empty magazines and bulged barrels due to excessive firing. A month later the first Indian party under aegis of Red Cross retrieved the bodies. The grateful nation conferred Maj. Shaitan Singh with Param Vir Chakra- the highest gallantry award. Eight soldiers were conferred Vir Chakra and some others were also conferred with honours. This is perhaps the only action where so many honours have been conferred in a single

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operation. We pay our homage to these brave soldiers year after year on their memorials near Chushul and in Rewari, Haryana. It has been aptly inscribed on their memorial: 'How can a man die better? Than facing odds/ For the ashes of his father/ And temples of his Gods.'

The 1962 war had taught us many lessons. Nehru's gestures of friendship were returned through treachery by China. In future we should, therefore, deal with her with due caution. Chinese manoeuvres in our neighbourhood are already alarming. Her outright support of Pakistan in her nuclear programme and defence preparedness is a cause of concern. We have not raised the protests to the required level of pitch against China for her construction of Economic Corridor through our area of Gilgit-Baltistan. Pakistan's handing over of Shaksgam tract of our state to China was also not so vociferously opposed by us. Be it the trade imbalance or be it the border incursions, our reaction remains mute. Safeguarding our national interests viz a viz China will be an appropriate tribute to the sacrifice of the martyrs of Rizangla.

Reference by B.D. Sharma (Former Civil Servant)

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53-B

SOVIET POLICY TOWARDS KASHMIR ISSUE TILL TASHKENT AGREEMENT

As already said that Kashmir is not a merely a geographical expression in the North-West of the vast Sub-continent of India, famed for its beauty and natural wealth, but it is a land strategically situated and a connecting link for many great empires. Its borders touching, as they do, the territories of Russia, China, India, Pakistan, Tibet and Afghanistan,' have an international significance. It also occupies a strategic position from military standpoint and that of foreign affairs. Nations interested in 'Big Powers' struggle can see Kashmir primarily as the pivotal centre of military strategy in this part of the world. This is why it has become a pawn in the game of international politics. That it has given rise to the fast developing collaboration of Pakistan and China, on one hand, and the Pak-collaboration in the global plans of American policy and military strategy on the other.

Kashmir, therefore, had been a constant concern of the Kremlin since the days of Lenin, who wanted to see peace in the areas bordering the Soviet Union.

Soviet Union, however, had shown great interests and had been actually involved in Kashmir since World War II. Her Leaders-Josef Stalin, Nakila Khruschev, Leonid Brezhnev and Kosygin, though looked at Kashmir an important strategic area and an object of foreign policy interest pursued a different course. The Soviet policy on Kashmir, thus, did reveal

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inconsistency and her stand varied from time to time.

Soviet leaders had generally favoured the right of self-determination on the part of the multi-national and the pluralistic societies as they began to emerge as independent states in South East Asia. Perhaps because of this they favoured granting the right of self-determination to the people of Kashmir. One version is that prominent Moscow trained workers were the first who injected the germs of the fancy of an independent Kashmir into the body politic of Kashmir.8 Referring to the demand of independence they pointed out that, 'it reflects the innermost desire of the Kashmiri people and is made with the intention of galvanising them once again," They also said to be responsible in splitting up of our nationalism into 'Indians' and 'Kashmiri' and kept the two as mutually distinct and irreconcilable as possible. 10 Mr. O. Orestov in his article "The war in Kashmir" published, in Moscow Weekly "New Times,' pointed out people of Kashmir faced two enemies, the force of intervention which had invaded their territory and the Indian reactionaries. He warned "it was in the interests of Indian reactionaries that Kashmir remains occupied by the Indian troops. While referring to Sheikh Abdullah's Govt, he deplored that it had proved impotent in the face of the Indian reactionaries" They later on supported the special status of Kashmir to enable the people to fight imperialism and facilitating the abolition of land-iordisrn and monarchy, and remaining free from interference of President of India.

Even at Security Council the Soviet representatives had shown indifference to Kashmir issue. Throughout 1948, when Kashmir dominated the preceedings of Security Council for more than six months, Soviet delegates never spoke on the issue in dispute. His behaviour was one of uninterested observers who had nothing to say on the question under discussion. This was particularly because Stalin continued to regard New Delhi as an appendage of Anglo-American imperialism and Soviet

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non-approval of India's policy of non-alignment in the context of the cold war rivalry between, the then, two superpowers. Moscow perceived India's non-alignment policy along the line of the maxim that "if you are not with us, you are against us."

However, in the early fifties on the imperialist's designs over Kashmir, Pakistan unhesitatingly lining up with the United States and its allies against Soviet Union and subsequently signing SEATO and Baghdad Pacts and India's refusal to sign a Japan Peace Treaty in San Francisco, began to have their influence on the Soviet Policy. Soviet Union had since then given its support to the legal finality of the Kashmir's accession to India.21 They then began to depreciate any talk of an independent Kashmir as it was bound to make the Indo-Pak sub-continent a playfield of the imperial machination and stood solitary behind the permanent nature of the special status of the state in terms of Act. 370. At Security Council also the Soviet representative Jacob Malik started attacking and strongly accusing USA and G B for their persistent interference in Kashmir for ulterior motives, condemned Pakistan for its aggression in Kashmir and held them responsible for the failure of the U.N. to solve the Kashmir Problem. Malik's speech in Security Council, for the first time, broken the long held Soviet silence and indicated a change of Soviet attitude towards Kashmir.

The death of Stalin in March 1953 brought further changes in the Soviet policy towards India in general and Kashmir in particular. Moscow welcomed Sheikh Abdullah's removal as the P.M. of Kashmir in August, 1953.

During their tour to India in 1955 Nikita Khruschchev and Nikolai Bulganin visited Kashmir. Comrade Khrushchev declared that, 'the question of Kashmir has been settled by the people of Kashmir." He, therefore, stressed that the Soviet position in regard to Kashmir was clear and precise that Kashmir

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is one of the states of the Indian Republic" He further added that the question of Kashmir as one of the state of Republic of India had been settled by the people of Kashmir themselves. At a press conference in New Delhi Comrade Khruschchev and Comrade Bulganin described Kashmir as part and parcel of India and declared "as far as this issue is concemed we witness in Kashmir with deep joy that the people of Kashmir appreciated its national liberation considering its territory as an integral part of the Republic of India, "They are now striving to build in the fraternal family of Indian people."

In March, 1966 Anarta Mikoyan in his visit to India declared that Soviet Union regarded Kashmir as part of India. At Karachi he declared that the future of Kashmir was "not for us to decide. This is for the people of Kashmir to decide. "

Consequently, when the Kashmir question again came before the Security Council in Feb. 1956, the Soviet attitude was one of total opposition to U.N. resolution and of complete support to Indian position. Soviet representative Comrade Sobolev pointed out that vital changes took place in Kashmir since 1948. It would be suicidal to ignore these changes. Holding a plebiscite in Kashmir with outside interference in one form or another would serve only to excite local conflicts and to complicate the international situation in that area. The Soviet Union not only strongly criticised the five powers draft resolution for demilitarization of Kashmir in 1957 but vetoed it. In March, 1959 a Soviet delegation led by A. Andreev visited Kashmir and reiterated the Soviet stand on Kashmir being internal part of India. He declared, "In your struggle we are your comrades."Kruschcheu again reiterated the Soviet support to the Indian policy in Kashmir when Karan Singh visited U.S.S.R. in April, 1959. In 1962, when Pakistan again tried to bring the Kashmir issue before the Security Council citing India's action in Goa as an indisputable evidence of her aggressive intention, the Soviet Union opposed the move and gave India total and

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unqualified support. The Soviet Union also supported to withdraw the special status given to Jammu and Kashmir and to integrate the state into Indian Union. Soviet official told Indian diplomat in 1963 that New Delhi could count on Soviet support in the event of renewed trouble in Kashmir. In December, 1963, after the sudden disappearance of holy Relic, and demonstration in Kashmir and Pakistan to exploit the situation, the Soviet Union was deeply disturbed by the anti-Indian campaign by Pakistan, Soviet leaders condemned Pakistan attempt to abuse the religious sentiments of the people of Kashmir for political purpose. At the disappearance of Khrushchev from the Soviet Scene the new Soviet Prime Minister Alexei Kosygin told Mrs. Gandhi that Soviet support for India's policy in Kashmir had remained unchanged and that Moscow regarded Kashmir an integral part of India.

But the new Soviet leader Leonid Brezhnev decided to move away from the Soviet policy towards Kashmir. He envisaged using Kashmir for a rapproachment between India and Pakistan and to turn the sub-continent into a peaceful arena under the aegis of the Soviet Union. While endorsing the Indian Policy that Kashmir was an integral part of India, Comrade Brezhnev then, began to explore avenues for strengthening Soviet Pakistani relations.

In Nov. 1966, Soviet visitor to Pakistan Prof. Gherman Sverghov of Moscow Institute of World Economy and International Relations stressed that Kashmir problem should be tackled in accordance with the interests of the people of the India-Pakistan sub-continent. Later on the leader of the Soviet trade union delegation to Pakistan (G. Podeskiskov) made the same plea i.e. the solution of Kashmir problem should be sought in consultation with the people of Kashmir-Pakistan and India without outside interference. At the time when President Ayub visited Soviet Union, Kosygin stressed, "Pakistan and India will make all efforts for moving step by step in settling the existing problem (Kashmir) and in this way lay a firm foundation for

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good relations"" Ayub Khan was convinced that Soviet policy toward Kashmir had undergone a change. He said, "he has retumed with the conviction that in event of a new war on Kashmir, the Soviet Union will not stand behind India as it has done earlier and is happy that he has been able to create a breach in Soviet-Indian relation in regard to Kashmir. He then threatened New Delhi with a war on Kashmir unless India agreed to solve the conflict on Pak's terms.

During Shastri's visit to Moscow in 1965 the Soviet Union refused to take a public stand on Kashmir issue, Shastri did discuss the Kashmir problem with Kosygin but failed to get any mention in the joint communiqué issued at the end of his visit.

As a matter of new policy; the Soviets were adverse to pronounce any judgment on Pak infiltration in Kashmir in 1965 and wanted to view the Kashmir conflict in a non-committed way. As Tashkent meeting approached nearer, after 1965 war, Soviets advised India and Pakistan to settle old and dangerous Kashmir issue under the Soviet patronage. They also rejected the claim that Moscow was not objective on Kashmir issue and was inclined to support one side at the expense of the other side. They carefully chose Tashkent as the venue for their first attempt to use Kashmir to establish a rapprochement between India and Pakistan.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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BELOVED OF THE PEOPLE
(TRIBUTE TO MAHARAJA HARI SINGH)

Hartals are not uncommon in India, one often finds, one party or the other urging, intimidating and persuading, shopkeepers on one ground or the other to close their shops, but spontaneous hartals like the one observed by the people of Jammu and other towns in the Province on the 26th April 1961 are very rare. Shop after shop was hurriedly closed and within seconds all the bazars and even isolated shops were closed. With their eyes full of tears and voices chocked with emotions, the people passed on to each other the shocking news of the sad and sudden demise of their beloved former ruler Maharaja Hari singh who had been living in exile at Bombay. He had died of a heart attack.

There was no body at the Palace to furnish details. Yuvaraj Karansingh had proceeded on a foreign trip a couple of days earlier and was then in Rome. The Maharani was at Alhilal in Kangra. A crowd gathered at the residence of Pt. Premnath Dogra, the Praja Parishad Chief, urging him to arrange for the body to be flown to Jammu for cremation with befitting honours. It was to be learnt, however, that the Maharaja's last Will written more than a year earlier, did not permit of this. Instead, it provided for his ashes to be flown over Jammu and sprinkled over the town; obviously to mark his love for his homeland, which he was not permitted to visit during his life time.

All roads then led to the Palace, where thousands of people immediately assembled, and soon a vast sea of humanity

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flowed from the Palace through the main streets of the town, towards the Tawi, the like of Which Jammu had not witnessed before, Women were beating their breasts and lamenting, and the men hung their heads in silence. The procession ended at the cremation ground at the Tawi and dispersed after a brief speech by a Praja Parishad leader, Mr. Ramnath Advocate. After expressing deep sorrow at the greatest loss the people had suffered, he severely criticized the Jammu Station of the All India Radio, for hurting the feelings of the people by boradcasting film songs, even on the day of National mourning for people of the State.

The body of the late Maharaja was cremated the same day at Bombay under arrangements made by his personal staff. He was too discredited to receive the usual official honours even at the time of his funeral, as he had once arrested Pt. Nehru on making a forced entry into the State in 1946. Even the Government flags were not lowered. His death was announced on the Radio and published in the papers but there were no comments, no life history.

Yuvaraj Karansingh, then Sadar-i-Riyasat of Jammu and Kashmir cancelled his trip and returned to Bombay the next day. He accompanied the ashes which were flown to Jammu in a chartered plane, and sprinkled a part of them over Jammu. A huge crowd, including people from villages had gathered at the aerodrome to pay their last homage to their beloved former ruler. Bakhshi Ghulam Mohammad then Prime Minister of the State, also made an appearance for a while. When the Yuvaraj alighted from the plane with the silver urn containing the ashes, the shouts of "Maharaja Bhadur amar rahe" rented the air. A large procession then slowly moved to the cremation Ghat on the Tawi river, where necessary religious ceremonies were performed by the Yuvaraj. The people then quietly dispersed.

To add insult to injury the Government offices remained

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open and the Slate Flag fluttered at full mast. A few college students made an attempt to pull down the State Flag on the New Secretariat building, but were fired at by the Police. They ventilated their grievance by stoning the building and smashing a few of its glass panes and then dispersed. Some of them were later arrested and detained without trial for months.

Thus was the death mourned of the Maharaja, proving that he was as much loved by his people years after his treacherous removal from State, as he was during his rule. Official circles, however, continued remain indifferent.

The popularity of the Indian ruling Princes among their subjects was at no time in doubt, in spite of the malicious propaganda carried against them by the interested parties outside their States, With their replacement by the democratic Governments which were unable even to maintain the then existing level of efficiency in the administration, their popularity rose to. even new heights. Long after his removal from the ruler ship of his State, a dead Maharaja of Jodhpur, killed in an accident a day before the date of polling, defeated his Congress rivals in more than one Constituency by an over-whelming majority during the first General Elections held after Independence. Even today any ousted, Maharaja could easily defeat any body in fair election from any Constituency of his State. The Indian National Congress which had been calling these ruling Princes as unpopular parasites, and had even removed them on the same ground does not today fail to take full advantage of their popularity when in difficulty,' in any constituency of a former Princely State.

Maharaj Harisingh was no exception. He was equally popular among both Hindus and Mohammadans the two main communities in the State, but due to strong outside influence, and as part of a long premeditated plan of the British for the vivisection of the Indian sub continent, on the basis of religion, a

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section of Muslims, supported by the Indian Muslim League undertook to defame him. Later, the Indian National Congress also joined the affray apparently to get a foothold in the State. Inadvertently, however, they only helped the communal cause. If popularity among Muslims was a test of popularity for a Hindu, however great, then even Mahatma Gandhi who did his best to advocate the Muslim cause and even laid down his life for it, proved a miserable failure.

Maharaja Hari singh still remained undoubtedly the most popular and revered figure in the State and was always held by the people in great esteem; that is why Sheikh Abdullah was in a hurry to manipulate his removal from the scene. Mr. M.L. Chattopadhayay, Member Indian Constituent Assembly who visited the State in 1949 circulated a report to the Congress Members of the Constituent Assembly on 16th Feb 1949 which among other things contained the following :—

"In our talk with Sheikh Abdullah Sahib, we found him over- zealous about the abdication of the Maharaja. He holds him responsible for the massacre of the Muslims in the State."He demands an inquiry and if need be, a trial. He spoke in clear terms that if the Maharaja was not deposed, he could not with any certainty, sufficiently inspire the muslims, to vote for India and make sure of Victory*. We were told by the people that open propaganda was being carried on by Sheikh Abdullah and the National Conference to depose the Maharaja. We were further told that at a mohalla meeting of the National Conference in Jammu city, the resolution for abdication was defeated by 18 votes to 3".

The Maharaja was removed from the State after all, first on the grounds of his health, (with which there was nothing wrong), and then on the grounds of Constitutional changes. This was very much represented by the people, and on Pandit Nehru's first visit to Jammu they demanded the return of the Maharaja to the State. Speaking at a public meeting later in the

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day Pt. Nehru was unable to conceal his personal ill-will against the Maharaja and declared that the Maharaja who had the audacity to arrest him, who was to become the Prime Minister of India, would never never, never return to the state. Hearing this the people left the meeting in large numbers.

It is said that the Maharaja once suggested to Pt. Nehru that they should both fly to Srinagar and ask the first Kashmiri they met whether he liked the Maharaja to stay or go. But Nehru was not unaware Of the Maharaja's popularity in the State and that is why he had broughtabout his removal by underhand means.

Ref: From the book Political Conspiracies of Kashmir by Lt. Col. Bhagwan Singh.

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1963: ATTEMPTS TO DESTABILIZES JAMMU PROVINCE

(THEFT OF THE HOLY RELIC AT SRINAGAR)

An event took place on the 27th December 1963 that rocked the Valley of Kashmir to its very roots .This is generally known as the Hazratbal Incident in which a hair from the beard of the Holy Prophet of Islam (peace is upon him) was stolen. This resulted in what was easily the most serious law and order situation in the state between 1947 and December 1989.

The more this author looks at the records of that month the more it becomes clear that a malign power was trying to stir up trouble in the state. Identical incidents took place in Jammu city, Doda city and Kishtwar around the same time. In each case the result was the same—the public got extremely angry and vented its anger on the government.

Mysterious fires broke out in both Kishtwar and Doda. The most venerable shrine of Kishtwar Syed Shah Asrar ud Din Wali Saheb, was burnt completely. Someone similarly set on fire the shrine of the Syed's even more respected father. Syed Farid ud din Saheb of Bagdad at Doda.

Just four days after the theft of the Holy Relic at Srinagar, on the 31st, December, word went around the state's winter capital, Jammu, that two idols had been stolen from a Hindu temple. If in Srinagar, Doda and Kishtwar it were the Muslims who were livid, in Jammu it was the Hindus. In all four cases the idea clearly was to provoke the majority community of that area.

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The agitation in Jammu continued into 1964—till February, when someone pointed out that the said temple had ceased to be used for prayers several decades before and the idols had been eroded by time.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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1965: THE PAKISTANI AGGRESSION

In mid- 1965, ' an American record points out, 'Pakistan sent guerrilla forces into the Indian part of Kashmir in the hope of stirring up a rebellion that would either oust the Indians or at least force the issue back onto the international agenda. Pakistani forces did not find as much support among the Kashmiri population as they had hoped. In fact, they did not find any support at all.

In all, Pakistan trained a force of thirty thousand infiltrators during the course of that year. These included 'irregulars' as well as soldiers in Kashmiri plainclothes. Wali Mohd. Aseer Kishtwari points out that the men had been trained by Pakistan's Gen. Malik and 'some of [them] had been identified as Päkiståni regular army officers.

Field Marshal Ayüb Khan consulted only Gen. Musa Khan while deciding to push infiltrators into India, Air Marshal Nur Khan would later recall. Ayub did not take the chiefs of Pakistan's air force and navy into confidence.'" However, some members of Ayub's council of ministers knew. (Ayaub Khan was the President and military dictator of Pakistan, Müså Khan the chief of the Päkistån Army and Nur Khan the chief of the Påkistån Air Force at the time.) According to Air Marshal Nur Khan, 'The infiltration started on August 6. However, the Indians came to know about it in mid-August.' (The good air chief has got the first date wrong by a few hours.)

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The main infiltration took place on the night of the 5th August. India and Pakistan share a very long international boundary (1B) in Jammu and Kashmir, and an even longer, 750 kilometre 'line of control' (LoC), which was then called the cease-fire line (CFL). It is impossible for the armed forces to guard every inch, especially mountain peaks and ridges.

The infiltrators were well supplied with arms, food, Indian money and communication equipment. They formed little groups of two or and slipped across the CFL wherever they found a gap in the Indian patrol. A few hours later they assembled in bigger groups at designated places.

'They were organised into eight 'Forces' composed of six companies of 110 men' Pathik writes. 'In most case, the companies were commanded by Pakistan Army officers of the rank of Major, while the platoon commanders were either junior commissioned officers [i.e.sergent and below, or] senior non-commissioned officers [i.e.sergent and above].'

The Indian Army decided to cross over to the Pakistani side of the CFL so that it could capture and seal off the more frequented gaps and passes through which the infiltrators were pouring in.

The Haji Pir Pass was the most important of these. It links Poonch and Rajouri (both in Jammu) with Uri (Kashmir). Whichever country Occupies this pass can call the shots in an area of roughly 3,500 square kilometres. At the time the Pakistan Army administered this vital pass. Before 1947 a wide, metalled highway ran between Kashmir and Jammu through the Haji Pir.

Pakistan began to shell Indian positions in Tithwal, Uri and Poonch on the 19th August. Clearly, the Haji Pir had to be brought back under Indian control to put an end to the constant torture inflicted by Pakistan Brig. Z.C. Bakshi was the

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commander of India's 68 Infantry Brigade Acting on his orders, 1 Para captured Sar, on the right flank, on the 25th August. However, it could not take the critical Sankh.

On the 26th August, Major (later Lt. Gen.) Ranjit Singh Dayal, exceptionally imaginative and daring Indian officer, led a band of a hundred 'paratroopers' into the territory controlled by Pakistan. The mountainous terrain was so difficult that it could be negotiated only in daylight. So an unconventional decision was taken: to start at two in the afternoon of the 27th. Pakistani soldiers saw them and fired on them. To make things worse, there was a heavy fog and a drizzle at night. All the same, Dayal encouraged his tired men to reach the base of the pass.

Brig. (later Gem) Z.C. Bakshi is one of the greatest military geniuses of free India—and ,one of its most highly 'decorated' soldiers As soon as he learnt of the fog, he detached a company and sent it to the pass to make an alternate attempt to capture it. His strategy assumed that Pakistan had very substantial forces at the pass.

When the fog lifted, Dayal saw that his men and he were overlooking the Haji Pir Pass and Pakistani soldiers were brewing tea at the pass.

By the morning of the 28th August Dayal and his men were close to their goal, the pass itself. Dayal took his men up by a route used rarely because it is longer. The idea was to take the Pakistanis by surprise. At 4.30am they reached the old, disused Uri-Poonch road. That was when Dayal allowed his men a short nap. They resumed their advance half an hour or so later and by six they were just below the pass. The Pakistanis' began to fire on them.

Maj. Dayal divided his men into two groups. One group took the Pakistanis' on by firing on them. Dayal led the other

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group. They climbed up the mountain that towered above the pass. They rolled down from that height to the pass, where they took the Pakistanis soldiers unawares. Caught between guns fore from two sides, the Pakistanis' panicked and deserted the pass.

By 10.30 that morning, the Indian tricolour was flying on the Haji Pir Pass. This was one of the most significant battles won by the Indian Army after 1947. In less than forty-eight hours India had captured critical Pakistan-controlled border 'posts' such as Bedori (13,000'), Burfi Pathri, Kuthanar ki galli and Safikh (Point 9591). (The Haji Pir pass was returned to Pakistan as part of a bilateral pact between the two countries.)

The Poonch-Uri link: After 1947, as we have seen, the Indian district of Poonch did not have a good road link with Uri (in Kashmir). In the first week of September 1965, the Indian Army started working to change that. It captured around thirty Pakistanis 'posts' and, on the 10th September, 1965, linked these two frontier towns with each other. This was another major Indian victory.

The failure of Pakistani's guerrilla strategy: So far India and Pakistan had been fighting an undeclared war, with the Indian forces sorting out infiltrators rather than a formal army. The Pakistanis had hoped that the local Muslims would support the infiltrators, feed them and house them. They were sorely disappointed.

Ch. Muhammad Din, a Gujjar from Tangmarg (Kashmir), who was later awarded the Padma Shri, was the first to alert the Indian government about the infiltration. Several other Muslims—of Jammu as well as Kashmir—gave vital clues to the Indian Army. (Later, Pakistani terrorists killed Ch. Din because of his loyalty to India.)

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Pakistan, writes Pathik, had only two options now, 'either to...admit the failure of the [guerrilla] operation or commit their country to an all-out war with India. It chose the latter on the 1st September. .

The Battle for Sialkot: Briefly, Indian tanks entered Pakistan proper opposed to Pakistan occupied Kashmir), in the direction of Pakistan s 6th Armoured Division responded by moving its tanks from Badiafi and Pasrur to where the Indians were. Thus began what Pathik describes as "the biggest [tank battle] since world war 2. [The battle continued] without break for fifteen days. [66 Pakistanis'] tanks were destroyed [during the Battle of Phillaurah on September 11, while India lost] only six.'

The details: on September 3, a Pakistani patrol crossed over into India and an Indian despatch rider. The Indian courier was apparently carrying the complete details of an invasion of Sialkot planned that intelligence coup seriously. All of them assumed that the blueprint had been deliberately planted on them by India.

Around 3:30am on September 6, a small Indian force began to shell the Pakistani bridge on River Ravi at Jasser, and then attacked it. The Pakistani company commander ordered the demolition of the bridge. He also vastly overstated the size of the Indian force in his report to his seniors. This led the Pakistanis' to believe that Jasser was where the Indians were planning to attack. So, by noon they sent a brigade with an additional armoured regiment to Jasser.

The Indians attacked Pasrur-Chawinda-Phillaurah instead. The Pakistani commander asked the freshly despatched brigade to rush from Jasser to where the attack was. This confused the Pakistani troops thoroughly. Worse was to come, because Brigadier Ismail, the inept3 commander of the Sialkot

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division, would continue to issue contradictory orders.

Early the next morning the Indian infantry formed a bridgehead and a 'defended area' for its men—on Pakistani soil. At 10:30am on September 7, India's I Armoured Division started marching into Pakistan. Even though they found no opposition from the paralysed Pakistanis, the cautious Indians did not capitalise on Pakistani's internal disarray. They thought they were being led into an ambush.

This conviction got reinforced when the Indians advanced from Pasrur to Phillaurah (both in Pakistan) before dawn on September 8. Major Muhammed Ahmed, a squadron commander of the Pakistani armoured regiment, and his men hid in a grove of trees when they saw the conquering Indian tanks roll past them. They opened fire and hit many tanks of the leading Indian unit, as well as some that followed.

Meanwhile, another unit of the Indian armoured division reached Chawinda (Pakistan). When its officers heard of the ambush at Phillaurah, decided to halt at Chawinda for a while. Men from that Pakistani they armoured unit moved to Chawinda and fired on the Indians, killing many and hitting more Indian tanks. The Pakistanis call this 'the greatest tank battle since the Second World War.' (But no, that was ai Asal Uttar, where India destroyed a few hundred Pakistani Patton Tanks.)

The next day (September 9) the Pakistani GHQ (general headquarters) ordered Pakistan's second armoured division to proceed to the Sialkot sector. After that a series of battles followed, some going in favour of one country while the rest gave the other country the upper hand.

Because of its huge overall success in this sector, the Indian Army conquered 268 sq. km. of Pakistani territory in

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Sialkot, including major trophies such as the Alhar Railway Station. While India did not conquer Sialkot town, its Army was only five or six kilometres short. Besides, India had captured most of the territory leading to Sialkot.

Chhamb-Jauriah: Pakistan attacked Jammu's Chhamb-Jaurian sector with ninety armoured tanks—mainly of the Patton variety—and an infantry brigade before dawn on September l, 1965. Pakistan has the strategic advantage in this area.

Actually, in 1965 Pakistan enjoyed more than just good topography. It had, around 1958, got hold of India's military plans (for the entire border and not just Chhamb-Jaurian) in all their details, thanks to an Indian Brigadier whose wife had an expensive hobby. What the Brigadier allegedly sold were India's entire offensive and defensive operational plans. This crucial revelation was made by Gohar Ayub Khanxtn, whose father Field Marshal Ayub Khan was then the military dictator of Pakistan. Gohar was 28 at the time. (There's a moral in it for all Indians who would sell their nation to Pakistan: The Pakistani whom you hand the secret documents to will merrily spill the beans on you in his memoirs, which will be a bestseller on both sides of the border for that reason.)

The Indian Brigadier, who had once been India's Director of Military Operations, was paid Rs.20,000 ($4,000 at the then exchange rate) in London. As a result 'President Ayub ordered [the] deployment of Pakistan forces where [the] Indians planned to attack.' But God was clearly not on Pakistan's side. The Lahore Military Commander, Maj. Gen. Sartaj 'moved his forces late, to the disappointment and annoyance of top [Pakistani] military commanders,' Gohar Khan adds. Besides, a careless Pakistani tank driver accidentally hit and knocked off an Indian bridge that the Pakistan Army needed to cross in order to annex Indian Territory.

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In any case, after Pakistan had moved all its defensive forces, 'the Pakistan Army launched its attack at (Chhamb-Jaurian) that was left unguarded by Indian as indicated by their secret war plan. No Indian soldier was found to defend and the Pakistan Army started its advance secretly.

In the event, Indian troops withdrew to River Munnawar Tawi. Had Pakistan been able to advance a little future, into Akhnoor, it would have served the main road link that Rajouri and Poonch had with the rest of India and thus, possibly, would have conquered the region.

And had Pakistan been as successful from the Sialkot side as it had been in chhamb, it could have captured Jammu city and the national highway as well. In that case India would have lost its road link with Kashmir and Ladåkh as well.
That was what the Pakistan Army had set out to achieve—and what the Indian Army had to prevent.

On the 3rd September Pakistani tanks rolled further into Indian Territory, in the direction of Jurian. The Indian Army withdrew again. The next day Pakistani tanks advanced across the almost dry Munnawar Tawi River and captured more territory.

India, which had not been expecting the attack, hit back with enormous ferocity four days after the Pakistani invasion. On the 5th September it regained some territory by pushing the Pakistan Army back across the Munnawar Tawi.

The same day India took the offensive by attacking not only Pakistan's Sialkot area, which borders Jammu, but also the distant Lahore sector. This halted the Pakistan Army's conquering spree in this sector. Now that they had to defend their own territory, the Pakistanis reduced their pressure on Chhamb and Akhnoor.

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Asal Uttar: Indian soldiers withdrew from Kasur to a place near Khémkaran-Asal Uttar. There they hid themselves in fields of sugarcane. When the Pakistanis marched in to the area, thinking that they had conquered the stretch without any resistance, the Indian troops trapped them between themselves and a stream.

The Indian Army killed a Pakistan General Officer Commanding as well as the Artillery Commanders They also captured 97 Pakistani tanks, fourteen officers—including two Lieutenant Colonels and six Majors-- and several men.

The cease-fire: The Security Council of the United Nations recommended a cease-fire in the hostilities between the two neighbours. This took place on the 23rd September, 1965. At the time India held around a thousand square kilometres of Pakistani territory: including Pakistani land in the Lahore region us well as some Pakistan areas bordering Rajasthan. 'The credit tor this victory,' Pathik writes, 'goes to the able leadership and strategy of [Gen] J.N. Chaudhari.'

1965-a summary: The war achieved nothing for Pakistan. Instead it lost twenty aircraft, two hundred tanks, and 3,800 troops, according to US estimate that adds, 'Pakistan's army had been able to withstand Indian pressure, but a continuation of the fighting would only have led further losses and ultimate defeat for Pakistan.' In his book, My version, the then Chief of the Pakistan Army, Gen. Muhammad Musa shared the view that Pakistan gained nothing from the 1965 war and that, on the contrary, failed to achieve its objectives.

Why Pakistan did not succeed: Apart from military reverses, Pakistan failed because, as Gohar Ayub Khan points out, it based its entire strategy on the assumption that the people of Jammu and Kashmir were on its side. Khan recalls that the top Kashmiri leaders whom Pakistan relied on had assured Pakistan

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that the Kashmiris would raise in revolt against India after a few thousand Pakistani commandoes had infiltrated into the state.

According to Khan, the then foreign minister of Pakistan, Mr Zulfiqar Ali Bhutto, received this assurance from pro-Pakistan leaders in Kashmir and conveyed it to Field Marshal Ayub Khan. It was only after that Ayub launched Operation Gibraltar.

Khan told The News (Pakistan) that this wrong assumption 'led to a big disaster and resulted in [the] killing and capture of Pakistani after Indians closed their entry and exit points at Kargil and other areas.'
The Pakistani commandoes who managed to reach the Valley of Kashmir 'sent horrifying reports back home because the earlier assurances and information of
Pakistan Army simply has to march into Kashmir (indeed, all of India) and occupy it 'with a smile' —i.e. without any resistance from the Indian side. ('Hans ke lenge Hindustan.')

Lt. Gen. Matinuddin writes that the Pakistani military believed that India, under Prime Minister Shastri, 'was not expected to resort to an all* out war against Pakistan even if Kashmir was attacked.'

As a result of such delusions, all that Pakistan has achieved though it's various invasions has been the needless death of thousands of Kashmiri civilians, as well as Indian and Pakistani soldiers. And each time thousands Kashmiri leaders turned out to be "doctored" and the commando[e]s were trapped [in Kashmir.]'

Lt. Gen. Kamal Matinuddin, who was Pakistan's brigade major in Khem Karan at the time, supports Gohar Ayub's version that 'the reports on the so-called uprising in IHK [Indian Held Kashmir were doctored. The Sade-e-Kashmir radio station,

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located in Murree in Pakistani Punjab), was broadcasting fictitious achievements in IHK: "Revolutionary Council takes over all authority in Kashmir. Patriots cut Jammu-Srinagar road. Panic grips Srinagar. Enemy [i.e. Indian] battalion wiped out." Such Propaganda based on total falsehood never achieves the desired results.'

Initially Pakistan told its citizens that India had forced that on Pakistan. (As I had said in the previous chapter, aggressor communities do not want to shatter their citizens' illusions about the innocence of their nation/ ethnic group.) However, every retired Pakistani general has since admitted that Pakistan was the aggressor.

Matinuddin writes, 'Ayub's confidence...had increased because [Pakistan had received state-of-the-art weapons after joining US-sponsored, anti-Soviet military pacts... With the death of Nehru... India's destiny was [guided by Lal Bahadur Shastri [who] was, in the eyes of the Pakistani military leadership, a weak leader.' Besides, Pakistan thought that the world powers, especially the immediate neighbourhood, were with Pakistan.

It was the security environment, which was in Pakistan's favour at that point of time.' Lt. Gen. Matinuddin adds, 'which led Ayub Khan to give the go ahead signal to try and resolve the issue of Kashmir militarily... 'The war was not conceived in its totality. It began with [Pakistani] raids [on Indian Territory]. When that did not produce the desired results and our vital areas in Azad Kashmir were threatened, a full-fledged attack on Akhnur was launched. When that stalled, reserves were pulled out from the Lahore sector. When the Indians attacked Lahore, the armoured division was launched in a hurry, without adequate infantry support. .. When that ended in a disaster [for Pakistan], emphasis was shifted to the Sialkot sector where a purely defensive battle was fought.'

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Each Pakistani invasion of India has assumed that the Indians are a bunch of idiots and wimps, that the vegetarian Indian Army is no match for Pakistan's rugged, meat-eating, 'martial' soldiers (each of who can bash up twenty Indian soldiers), that the people of Kashmir are all closet Pakistanis and, therefore, the of Kashmiris have kept Indian soldiers informed about the where about of the Pakistani infiltrators—often sacrificing their own lives in the process,

1965: The important battles: The main battles fought in Jammu & Kashmir and the neighbouring areas of the Punjab were at Haji Pir (August 26-31 Picquet-Chand Tekri (September 5-6), Jaurian-Kalit (September 2-5), Kali (September I-Oct. 5), Sanjoi-Mirpur (September 3-12), Point 9013 (September 20-21), op Hill (NL 1053) (November 2-3). Hostilities on the state's boundaries with Pakistan/ occupied Kashmir began on August 5 and continued till November 3.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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THE 1971 WAR WITH PAKISTAN

The genesis of this war between India and Pakistan, and incidents connected with Kashmir has been mentioned in some detail in the volume about 'Kashmir.

'Briefly, in 1971, Pakistan ruled over Bangladesh, which was then called East Pakistan. At the time a military junta governed Pakistan. Elections, internationally accepted as fair, were held in Pakistan to transfer power to a civilian government The East Pakistan-based Awami League won the majority of seats in the national parliament. Politicians and generals from West Pakistan were alarmed at the prospect of Pakistan being ruled by 'the Bingos.' So, they refused to let the elected government assume charge. A civil war broke out in East Pakistan.

Pakistan was sore that India was providing refuge to the East Pakistanis, some ten million of whom had crossed over into India, fleeing the reign of terror of the Pakistan Army. So, to quote an American history, "on December 3, [1971] Pakistani force began hostilities in the west with attack on Indian airfields. [A major Pakistani land attack on Chhamb, where Pakistan had done well in 1965 and where it has the strategic advantage, followed On the whole] they [Pakistan] had little success, and within twenty-four hours India had seized air superiority, launched attacks against the West Pakistan and blockaded the cost.

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The Indian Army's objectives in the west (i.e. Jammu and Kashmir, the Punjab, Rajasthan and Gujarat) were limited. The idea was to conquer as much Pakistani land as possible and concede the least possible Indian Territory. The Pakistan Army aims were a mirror image. Both knew that there would be negotiations after the war. Whichever side seized more land would be in a better bargaining position.

Perhaps for that reason, Pakistan concentrated its forces in the west. (And suffered an innings defeat in the East.) In 1965, Pakistan's Air Force had some of the world's best tanks, aircraft and other thitherto pacifist India was still limbering on with World War craft and weapons. By 1971 the gap with Pakistan's technical superiority had narrowed somewhat. The Pakistan Air Force had Star fighters, the latest Chinese F-6s and state of the art F-86 Sabres. Its Army had new Chinese T-S9 tanks as well as the once-dreaded American Patton tanks (India'« new, USSR-made weapons.

India's western border with Pakistan, as military analysts point out, is longer than the distance between Paris and Moscow. For either Side to capture the other's territory can only be by losing a large number of men—not to mention the expensive loss of armament. That is why the Army divisions of both countries are mostly defensive ('holding') formations. Rather than offensive ('strike') ones.

The Indian Army had drawn up three missions in whom India would attack Pakistan and capture its territory: i) 26 Division would try to enter the Sialkot area. ii) I Corps would try to capture the 30 kilometre 'Shakargarh bulge.' iii) A division of India's Southern Command would attempt to snap the rail link between Pakistan's Punjab and Sindh provinces.

Sialkot: Indian Army Headquarters abandoned the Sialkot mission. Major General ZC. Bakshi, who commanded India's 26 Division, later wrote. "After the Pakistani thrust at

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Chhamb, [Amy] Headquarters was in a flap and they took away one of my brigades and told me not to attack [Sialkot]. All those brilliant plans prepared before the war went to waste all because people could not keep their cool in the heat of battle and let one temporary reverse cloud their judgement.' consolation, exactly the same happened in Pakistan, too, several times during that war.

The Shakargarh bulge: It was here that one of the bloodiest battles was fought. Lt. General K.K. Singh was the commander of India's only strike' corps, the I Corps, the headquarters of which were at Pathankot. The other side oc the border was Pakistan's I Corps, a 'strike force' with a good reputation.

The Shakargarh 'bulge' protrudes into the region between a Pathankot in north Punjab and Samba in south Jammu. Indian hills are to its east and the Pakistan border on its west. The 'bulge' is vulnerable to Indian forces from three sides. India decided to attack from all three.

The badly depleted 39 Division, under Major General B.R. Prabhu, attacked the western tip. Its initial thrust into Pakistani territory was perhaps its only success. Inside Pakistan it got trapped in minefields. The 39 Division was supposed to cover the flanks of the other two attacking Divisions—54 Div from Samba and 36 Div from the south— but were unable to, thus impeding their efforts.

54 Div. under Major General W.A.G. Pinto did quite well, considering that two-thirds of his Division had been sent to protect Chhamb, where the Pakistanis were on top. Brigadier A.S.Vaidya, who led an armoured brigade and his brave men, captured the main positions above Pakistan's Shakargarh-Zafarwal road.

India was now ready for the next big task: to build a

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bridge across River Basafitar, and a road to the bridge. Pakistan had sensed the Indian intention. So, its army mined that area to a 'depth' of 1.4km. To thwart the Indian attack it had also deployed four armoured brigades, which it later augmented with two infantry brigades and one armoured brigade. This was infinitely more manpower and amour than the invading Indian forces had.

Indian engineers continued their work even as the Pakistan Air Force fired from the air and the Pakistan Army from the land. The commanding officer of an Indian battalion and a very large number of men were killed in the process.

The road and the bridge were completed on the 15th December. Pakistan sent its 8 Independent Armoured Brigade to destroy the bridge, India lost the better part of two tank regiments while defending the bridge. The situation on the Indian side, as can be imagined, was quite grim. India had seized Pakistani land but holding on to it, leave alone further advances into Pakistan, was proving very difficult.

At last, 17 Horse, an Indian armoured regiment, aided by three infantry battalions, managed to contain Pakistan's valiant counter attack. Both sides were at the end of their tether and fought as best they could.

Pakistan lost forty-six tanks that day. 17 Horse lost all but three tanks and now faced Pakistan's entire 13 Cavalry armoured squadron commanded by Major Nisar. India's Captain V. Malhotra led the three tanks that paralysed 13 Cavalry by hitting most of its tanks.

Second Lieutenant Arun Khetarpal, fresh out of military school, scored most of the Indian hits, till Major Nisar's tank smashed Khetarpal's. Though mortally wounded, Khetarpal managed to cause equal damage to Nisar's tank before succumbing to his wounds. Major Nisar jumped out of his tank.

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He found that of the Indian squadron commanders only Captain Malhotra was alive. Had Khetarpal abandoned his tank, as his seniors had ordered him to, he might have survived. But he was more intent on destroying Major Nisar's tank—which he achieved at the cost of his own life.

Jarpal: Major Hoshiar Singh and his men of 3 Grenadiers captured Jarpal village from Pakistan. The Pakistanis brought in a battalion, in an effort to regain the village. Maj. Hoshiar Singh received serious injuries in that battle. Later that evening, when the 'cease-fire' came into effect, Singh's men found the bodies of eighty-five Pakistani soldiers.

The Indian Army captured the territory leading to—and only seven kilometres short of—Zafarwal.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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THE KISHTWAR AGITATIONS OF 1969 AND 1974:

High school students and other youths of Kishtwar school for days on end and took out large processions through the streets of the town. They wanted the government to establish a college for undergraduate studies in Kishtwar. The government's problem was that it created a college in Kishtwar; it would be obliged to do the same in several other similar towns of the state, which it could not afford.

The agitation went on for so long that the government called the students leaders to Srinagar for negotiations. The students agreed to resume their studies when the government promised to set up the college that they wanted. This was in 1969.

The people of Kishtwar waited five years for the college to be founded. When it did not materialise, the students took to the streets once again. This time their elders joined them. Another long agitation followed. Not just the political leaders of the area, politicians from other parts of the state started visiting Kishtwar in support of the students' demand.

Somehow the agitation turned violent on the 13th September, 1974. The police fired on the procession. Four youths—Abdul,Gyan, Mohd. Iqbal and Ravinder died. Many others were injured. Never in their known history had the civilians of Kishtwar been so brutalised till then. This turned the

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whole town hostile towards the government, and then headed by Syed Mir Qasim. The people of Kishtwar town shut down their shops and brought all normal activity to a halt. When this had gone on for a month, the government did exactly what it in similar circumstances in the Valley of Kashmir. It requested the most popular leader of the state, Sheikh Muhammad Abdullah—who did not have an official position at the time—to help pacify the incensed people of Kishtwar.

The Sheikh persuaded the people to call off their agitation. He took them to Srinagar where they met the Chief Minister. As a compromise it was agreed that a vocational college (as opposed to a college that taught the liberal arts and sciences) would be set up in Kishtwar.

The Degree College failed to materialize this time as well.

1990-2006: Most of Jammu province stays away from militancy... and reaps the peace dividend.

Jammu is a big and posh city with a clear Hindu majority. However, man mosques and other symbols of Muslim heritage xan be found all around. It is a peaceful city and life is quite normal here. Apparently, Hindus and Muslims are living peacefully... Not a single organisation hailing from Jammu is member of the 23 party [anti-status] alliances, the APHC.

Throughout its history Jammu had been the second city of the state of Jammu and Kashmir—in terms of size, population, infrastructure, quality of life and availability of modern facilities. This remained true even during the 101 years when a destiny of Jammuities ruled the state. Srinagar had the better schools, colleges, hospitals, clubs, libraries, cinema halls, restaurants, bookshops and intellectual life, and better known doctors and dentists—just everything, including a trendier partying set.

Well to do Jammuities would choose to educate their

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children in Srinagar. They would maintain a summer residence in Kashmir and also go there to shop, consult doctors—and party.

The phase of Kashmir's history that began in December 1989 changed all that. Indeed. It inverted the equation Jammu has historically been a generous host. With silent lips it has sought out the tired, the poor huddled masses yearning to' breathe free. The 'wretched refuse of teeming shores' always knew that they would find solace and a comforting shoulder in Jammu city. In the eighteenth century (and for a while later) it was the Muslims of Delhi and the Punjab who sought Jammu. After 1947, the refugees of Mirpur and Chhamb as well as West Punjab fled to Jammu.

And now, between January and May 1990 another tempest-tos't people, rendered newly homeless, leaving their comfortable—and, often, considerable homes behind, sought refuge in the city where tigers and goats have traditionally sipped water from the same pool and lived together amicably.

Around 1.5 lakh Kashmiri Pandits and other (Punjabi- and Bhaderwahi-speaking) Hindus from Kashmir migrated en masse from the troubled Valley to Jammu city, Kathua town, Udhampur town and, later, Delhi. So did some Kashmiri Muslims.

The population of Jammu city suddenly increased by around a quarter. The prices of vegetables and groceries immediately shot up, and stabilised only towards the end of the year. The cost of housing plots jumped up, and has been rising ever since.

The Kashmiri Pandits are an almost entirely-literate community with educational levels well above those of the Kashmiri Muslims and Jammuites.

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Now a pool of well-educated teachers and office workers became available to Jammu. They were willing to work for around a third less than the then prevailing wage. (The government gives migrants from Kashmir a monthly allowance in cash and kind over and above what they might earn in the private sector.) On the one hand less qualified and or better paid local teachers and clerks got displaced in the private sector. On the other, the services of talented doctors (including some medical superstars), journalists, teachers and other professionals became available to Jammu.

Around the same time—the early 1990s—other unrelated things started happening. Pilgrim traffic to the holy shrine of Sri Mata Vaishno Devi Ji began to increase at the rate of around twenty per cent a year. Pilgrims need hotels to stay in, buses and taxis to travel by (because there are no trains) and (mostly Kashmir's dry fruits. Jammu's basmati rice and rajma (red beans) from the Jammu hills) to take home.

Within a few years the people who sols almonds, walnuts and dried apricots bee-ante exceedingly rich. Though these dry fruits grow in Kashmir customers now decided that they would purchase then) only from peaceful Jammu. Dry-fruit shops were renovated with expensive black granite and marble.

This prosperity virtually wiped out unemployment at least in the lower rungs of the economic ladder.

Around 1992, an economic boom swept all of India as well.

The pharmaceutical trade shifted its state headquarters from Srinagar to Jammu, as did some other categories of private business. Before 1989 many Kashmiri Muslims had favourite doctors who happened to be Pandit. Others would not dream of letting their school- going children seek private tuition from

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anyone except certain renowned Pandit teachers. After the mass-migration of Kashmiri Pandits, both categories of Kashmiri Muslims took to shifting to Jammu for several weeks at a time, to be with the doctor or teacher of their choice.

The 1990s were also a time when expensive schools and private as well as more-prestigious government-run colleges started springing up in Jammu. On the other hand, disturbances in Kashmir meant that schools and colleges in the Valley would often announce unscheduled 'holidays.' Besides, all-India chains of educational institutes (especially those that taught the then newly emerging science of computers) opened shop in Jammu but not in Srinagar during the early 1990s, when militancy was at its peak in Kashmir. So, middle-class Kashmiri Muslim parents started sending their children to Jammu to study not only at formal colleges but also at these hole-in-the-wall institutes that offered short courses of study. (Rich Kashmiri Muslims started sending their wards to Pune, Manipal and other parts of India, Bangladesh and the former Soviet Union where students with indifferent school-leaving grades can buy their way into professional colleges.)

I (Parwez Dewan IAS) gave half a dozen Kashmiri Muslim students a lift from the Jammu airport, because there was a strike in town that day and there were no taxis. They asked me to drop them at an 'engineering college' that he wasn't even aware of. It turned out to be a biggish house on the outskirts of Jammu city—rather undersized for a professional college. Several such low-profile, privately owned—and, sometimes, mercenary— engineering, management and law colleges were built in Jammu during that eventful decade.

During the 1990s Jammu also got its first engineering college (run by the government and, therefore, trusted and sought after) as well as its first private medical college (which caters mainly to affluent Kashmiri students). Jammu has become

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an educational capital of sorts for the region—which includes the neighbouring districts of the Punjab and Himachal Pradesh.

Jammu district cemented its position as the most literate district in the state. The surprise gainer was peaceful Kathua, which displaced Srinagar for the number two position. Since 1947 Kathua has been the most law-abiding, least troublesome, easiest-to-administer district in the province. Little wonder then that it has made such spectacular developmental gains.

Those who own buses, trucks and taxis (i.e. the 'transporters') mostly belong to Jammu's prosperous rural hinterland. Now that they had even more money than before they started shifting to Jammu city. Posh new housing 'colonies' started springing up all around Jammu city. The better off Hindu migrants of Kashmir needed houses. So did rural Jammuites who benefited from the booming tourist economy. By the late 1990s middle class Kashmiri Muslims—some of whom had plenty of money to spare despite militancy in the Valley—started setting up winter homes, also in the suburbs of Jammu. Muslims from Kishtwar and other parts of Jammu province followed suit. Housing 'colonies' often reflected the district (or even Tehsil) in Kashmir in which their Kashmiri Muslim residents had their summer homes.

To put it another way, Jammu city grew almost three and a half times between 1981 and 2001.

Attempts to ignite Jammu: It is not as if there were no attempts to stir things up in Jammu, In July 1990 someone used RDX (an enormously powerful explosive) to blow up a room in my office complex. I (Parwez Dewan IAS) was the head of the district administration and blowing up the First Office of the district had enormous symbolic significance. A terrible fire ensued and many people got bumt very badly. If they pulled through it was because of the protection of God, because

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medically there was no reason for them to survive.

And if you do not believe in God then I wonder how you will explain these: (i) a couple of youths from one particular community went to the Ranbir School, Jammu, to blow up the classrooms where schoolchildren of the 'other community' from Anantnag, Kashmir, were taking an examination. The bomb exploded in the hands of the would-be saboteurs. (ii) Terrorists from a third community were assembling a bomb inside an abandoned house of worship of their community. To make the bomb even more lethal they mixed tiny metal pellets, nails and screws into the paste. The bomb went off while it was being made. The pellets sliced the veins of the persons making the bomb. (iii) Two well to do youths of the same community were assembling a bomb in the bathroom of their well-appointed house near Morgi Chowki They got into a scuffle during which the bomb exploded accidentally, (iv) 'Nationalists' from another community were assembling a bomb inside the state headquarters of their very well-known right-wing party. When the bomb went off by accident they spread a rumour pinning the blame on construction workers from the other community who were whitewashing the walls of their office.

All these incidents took place between 1990 and in 1992. In all these cases the bombs went off by mistake, killing the would-be killers instead of their intended victims. Clearly a higher power was protecting the people of Jammu.

The agents of a neighbouring country tried their best to inflame the Sikhs by setting fire to the interior of the Bibl Chafid Kaurafi gurudwara. That was when another miracle took place—the Holy Scripture, the Guru Granth Saheb, was untouched by the blaze.

Kishtwar town was not so lucky. The Jama Masjid was set on fire during this wretched phase of history. The reaction

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was exactly what the saboteur had expected: An outraged public burnt down shops, public property, liquor vends and a private school called Adarsh Bal Nikatan, writes Aseer Kishtwari.

The easiest way to incense the Hindus is to kill a cow. Saboteurs did that, too. We somehow managed to contain passions, which had threatened to take a violent turn.

Enemy agents (who were later caught and identified as Pakistani Punjabis) then planted a very powerful bomb in the Jama Masjid of Talab Khatikafi. Many Muslims died. Things could have taken a very ugly turn Hindu youths, led by a party identified with Hindu extremism in Mumbai, not landed up at the hospital to donate blood for the wounded Muslims.

The Muslim Federation—again associated with hard postures—played an equally responsible role: especially when the 'nationalists' mentioned above was mauled by their own bomb. The leadership of both radical organisations has substantial property. The last thing that they wanted was sectarian riots. Fortunately, the leaders of both 'extreme' groups were clear headed and mature. They could see a pattern in these attempts to damage the shrines of various communities. More than us in the government, they realised that some people from across the border were trying to instigate riots.

Jammu was destined to reap the peace dividined.

Reference: Ershad Mahmud, The News (Pakistan) July25, 2001 & from " A History of Jammu by Parvez Dewan

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THE BATTLE OF POONCH & THAN PIR OPERATIONS

'Within the range of Pakistan artillery' Other than Chhamb-Akhnoor, what Pakistan had concentrated all its energies on was the conquest of Poonch. Its 12 Infantry Division was given this task. Two Indian picquets 405 and 406, built on a hill northeast of Poonch- and overlooking it- defended the town. They were manned by detachments of India's 93 Infantry Brigade – especially 6 Sikh.

Pakistan chose to attack Chhamb-Akhnoor and Poonch because these were the two places where it had the strategic advantage- and the greatest chance of success. Maj. Gen. (then Lt Col.) R.N. Chibber points out the entire belt near Poonch town- which included Than Pir, the Chandak Spur and the Kalai Bridge—and was within the range of the Pakistan artillery.

Around the middle of November 1971, the Indian Army had started noticing a 'conspicuous increase in Pakistani movements and activities opposite Poonch town. Pakistan had begun to shift its 7 Infantry Division from the NWFP and Sindh to its border and LoC with Indian Punjab and Jammu.

The Indian Army Commander reacted immediately. He ordered the 'move'of the 33 infantry Brigade from Samba to Poonch, which was done on the 23rd and 24th of November. 8 Jat, which was part of this brigade, was detached and placed under the 93 Infantry Brigade (Poonch Brigade). It was directed to

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defend the Durangali Nullah (stream) all by itself, station itself on the Bandi Chechaiyan Spur and reinforce the defence of picquets 405 and 406. India's 11 JAK Militia was responsible for the area in which Than Pir and the Chandak Spur are located.

This was a very difficult task because the mountainous terrain was forbidding and it was cold. More important, the Pakistani invasion difficult because some of the mines would have hurt the village people as well. The village people—all of them Muslim and many of them Gujjar—appreciated the gesture and reciprocated as they always have since 1947. They helped the army carry ammunition, rations and other stores wherever needed.

Mian Bashir, the legendary Gujjar leader to whom (and whose family) the Gujjars of the Himalayas (J&K, HP, Uttaranchal, north Punjab and even 'AJK') owe allegiance, and who was a minister in the J&K cabinet at that time, came all the way from the state capital, camped on the spot and personally ensured that the Indian Army received all the help that it wanted.

A Pakistan Victory: In the first of the three phases of its surprise attack, around 7.45 on the night of the 3rd December, Pakistan infiltuated a battalion with a company of Pakistan's elite SSG (Special Services Group) through the Durangali Nullah. By then the Indians had around ten days to prepare their defences, 'which were ready though not fully but substantially. By the morning of the 4th of December Pakistan had captured the Chandak Spur as well as the Than Pir ridge.

This cirtical ridge is just above the all-important Kalai Bridge, which was only link that Poonch town had with much of India. Poonch town and 93 Infantry Brigade were thus cut off from Rajouri and Mandi valley. Pakistan's 9 AK Brigade now dominated Poonch town as well the road to Mandi valley. From

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the Indian point of view, things were desperate.

The main attack of Pakistan's 2 AK Brigade, also on the night of 3 / 4 of December, was on the outlying posts, 405 and 406 (6 Sikh) and the Bandi Chechiyan spur (8Jat). The Pakistanis 'shelled' the Indian defences massively. 6 Sikh and Jat replied with equally intense artillery, infantry, mortars and MMG [medium machine Gun] fire. The [Pakistan] attack was bruttaly broken up by their fire' by the morning of the 4th December.

The Indian reply: Early on the morning of the 4th of December, the headquarters of 25 Infantry Division asked Brig. M.S. Panwar (Para), who was the commander of 33 Infantary Brigade to clear Than Pir, Chandak Spur and areas above the Kalai Bridge.

Panwar immediately drove to the Kalai Bridge. With him were the Artillery Regimental Commander, Lt. Col. Ranade, and the Brigade Major, Maj. H.S. Choudhary. The Pakistanis, who now dominated the Bridge, started shelling this top-level reconnaissance party rather heavily. That was the Pakistanis undoing, for it gave Panwar and his offinow dominated the Bridge, started shelling this top-level reconnaissance party rather heavily. That was the Pakistanis undoing, for it gave Panwar and his officers a precise idea about how the Pakistanis had spread themselves out in the area. (Pakistan's Liaquat Company (SSG) had been given the task of killing Panwar, whom his colleagues describe as a 'go-getter.')

Brig. Panwar instructed his Artillery Regimental Commander to engage the Pakistanis with artillery fire. Lt. Col. Ranade got the direction of his guns changed towards the Pakistanis new position. In less than half an hour the Indians were able to reply to the Pakistanis infiltrators in kind.

Panwar also asked Col. N.B. Singh, the CO

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(Commanding Officer) of 13 Mahar to move his battalion to the Kalai Bridge. 13 Mahar acted at once. Maj. Chaudhary organised the shifting of the battalion to its new 'firm base." Maj. Gen. Chibber writes, 'Though the area was new to 13 Mahar, it must go their great credit that without loss of time they got after the [Pakistan].

Shortly after 2 p.m. on the 4th of December, the peerless 13 Mahar had wreted the Chandak Green Ridge—which is close to the Bridge—back from the Pakistanis. Indian traffic began to ply on the Kalai Bridge once again.

Why Pakistani failed: Pakistan failed because its back up force could not link up with its daring infiltrating unit. When the Indians fired back—"brutally" as Maj. Gen. Chibber puts it—Pakistan's infiltrating soldiers began to rush back to their side of the LoC. Some soldiers of Pakistan's Liaquat Company were unable to go back in time. They were 'rounded up by the local [Muslim] civilians who handed them over to the nearest Indian Army Unit.

Some Pakistani soldiers, who were from East Pakistan (now Bangladesh), surrendered to the Indian troops. (There were a number of defections in Hiranagar and Samba sectors as well. The most famous of these was of a Lieutenant Colonel from West Pakistan who drove into India in his official jeep, bag and baggage, flying a white flag. This officer went on to play a very important role in the army as well as politics of Bangladesh.)

The recapture of Than Pir: The Pakistanis sitting on Than Pir started shelling 13 Mahar heavily.

Just before dawn on the 5th December, the brave soldiers of 13 Mahar started climbing the narrow, sharp-edged, steep and dangerous ridge that led from Chandak Green to Than Pir. They attacked the Pakistani force at six that evening. R. Saksena writes that a 'fiercely battle took place at close quarters. The attack was a

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complete success and the [Pakistanis] ran helter-sketer, abandoning [a] huge quantity of arms, including a Chinese 76mm. Recoilless Gun, as well as heir dead soldiers.

Saksena adds, '13 Mahar attacked Than Pir at the incredible ration of 1:1... the feature was recaptured without a single causality.

Causalities: Elsewhere in that series of battles 8 Jatt lost an officer—Capt. Kuldeep Singh Rathee—and six Other Ranks (Ors). Maj. Gen. Chibber says that Capt. Rathee, who was one of his best officers, died on the 7th of December when a Pakistani shell ricocheted and hit him. No officer of 6 Sikh died but some ORs did. Indian military historians describe these causalities as 'nominal' compared to the Pakistanis and considering the situation. An East Pakistani officer who defecated informed the Indian Army that Pakistan lost 350- officers and Ors in the Poonch- Than Pir battles. Many of them got caught in Indian minefields. The dead included a large number of PoK villagers, some as young as twelve, whom the Pakistan Army had employed to carry its equipment.

Among the Pakistanis who died were Lt. Colonel Ahmed Nasir Khan, the Commanding Officer of 9AK Battalion, Maj. Javed, Battery Commander, and twenty soldiers. The Indian soldiers who found their bodies buried them 'with full religious [Islamic] and military honour,' Maj. Gen. Chibber writes, adding, 'However, Pakistani troops have a very despicable record of inflicting brutality on prisoners of war [POWs], as also mutilating their dead bodies by gouging their eyes, cutting off their genitalia and slitting their throats. They had done this to some 11 J&K Militia personnel taken prisoner by them, whose bodies were recovered by 13 Mahar after the capture of Thin Pir. The same was inflicted by Pakistani troops on POWs in the Kargil operations of 1999.'

A failed back-up: In fairness to the Pakistanis they lost

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after a famous initial victory, achieved by Lt. Col. Khan and his brave men, because something had gone terribly wrong. They were supposed to invade India with two brigades and a battalion. In actual fact they came with a much smaller force. Except for the bold and successful thrust by Lt. Col. Khan and his men, the Pakistani attack was intriguingly feeble. There was no back up at all.

The Indians won hands down in Poonch-Than Pir but paid a price elsewhere. 25 Division, military experts feel, could have handled the Pakistani invasion of Poonch all by itself. Some Indian officers overplayed the Pakistani threat (which, as mentioned above, did not materialise wholly). 33 Infantry Brigade was abruptly moved from 39 Infantry Division, causing some damage to the Division. Worse still, it was not used fully and was given only a limited role.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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TASHKENT DECLARATION

The Prime Minister of India and the President of Pakistan, having met at Tashkent and having discussed the existing relations between India and Pakistan hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

(i) The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighbourly relations between India and Pakistan in accordance with the United Nations Charter. They affirm their obligation under the charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan sub-continent and indeed, the interests of the peoples of India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that Jammu and Kashmir was discussed, and each of the sides set forth its respective positions.

(ii) The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 25th February 1966 to the positions they held prior to 5th August 1965, and both

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sides shall observe the case-fire terms on the ceasefire line.

(iii) The Prime Minister of India and the President of Pakistan have agreed that relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

(iv) The Prime Minister of India and (he President of Pakistan have agreed that both sides will discourage tiny propaganda directed against the other country and will encourage propaganda which promote the development of friendly relations between the two countries,

(v) The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India Co Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored, both governments shall observe the Vienna Convention of 1961 on Diplomatic Intercourse.

(vi) The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreements between India and Pakistan.

(vii) The Prime Minister of India and the President of Pakistan have agreed that they will give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

(viii) The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue the discussions of questions relating to the problems of refugees and evictions/illegal immigrations. They also agreed that both sides

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will create conditions which will prevent the exodus of people. They further agree to discuss the return of the property and assets taken over by either side in connection with the conflict.

(ix) The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue meetings both at highest and at other levels of matters of direct concern to both countries. Both sides have recognised the need to set up joint India-Pakistani bodies which will report to their governments in order to decide what further steps should be taken.

(x) The Prime Minister of India and the President of Pakistan record their feelings, deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government and personally to the Chairman of the Council of Ministers of the USSR for their constructive, friendly and noble part in bringing about the present meeting which has resulted in mutually satisfactory results. They also express to the government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the USSR to witness this declaration.

Prime Minister of India
Lal Bahadur Shastri

President of Pakistan
Mohammed Ayub Khan

Tashkent, 10 January 1966

Reference: from the book "Plight of Jammu and Kashmir the unknown files" by Justice GD Sharma.

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THE BATTLE OF CHHAMB

Major General Gurcharan Singh Sandhu feels that this was 'the most serious reverse suffered [by India] in the 1971 war. From the Pakistani point of view 'it was this battle that sustained the morale of the army in West Pakistan and provided much needed credibility to sustain and preserve the [Pakistan] army's image in the wake of the traumatic events December 1971 [i.e. defeat in Bangladesh].

In 1965, Pakistan's Maj. General Akhtar Hussain Malik had swiftly moved his men and machines into Chhamb. Pakistan's Operation Grand Slam then continued its march towards Akhnoor, though without similar success there.

At the time, India had not given Chhamb its due importance and had stationed only a single Infantry Brigade there, with a squadron of outdated French AMX-13 tanks. Pakistan vastly outgunned India. It had two armoured regiments: and modern American Patton tanks.

Things were very different in 1971. Chhamb now had all of an Infantry Division (with two Border Security Force battalions also under it), heavy fortifications and Russian T-54(55 tanks to protect it.

There are two ridges, parallel to each other, and north of Chhamb. They are called Mandiala North and South. They

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shielded the town from the Pakistan Army. River Tawi was another obstacle for the Pakistanis, though it is quite shallow in winter.

The battle line-up was: India's 10 Infantry Division was defending Chhamb with a hundred and four tanks (ninety of them made in the USSR).Pakistan's 23 Division with 129 tanks (of which only seventy-four were T-59s; the rest were Sherman 11/M-36/B2) had been asked to wrest the area from India.

The Pakistan artillery had one hundred and thirty guns in all. India was only four short of that number. Pakistan as well as Indian Military historians feel that India's Russian-made tanks gave it the technology edge this time, because America had stopped giving Pakistan military aids after 1965.

As in 1965, the Pakistanis wanted to move from Chammb to Akhnoor, capture the bridge there and thus cut off all of Rajouri, Poonch and Akhnoor from the rest of India. Besides, had Pakistan captured Akhnoor, it could have threatened Jammu town itself, not to mention Reasi-Udhampur and beyond.

India does not covet Pakistani territory. However, Pakistan's crucial Grand Trunk Road is only fifty or sixty kilometres from Chammb. The Pakistanis always felt the so long as Chammb was with India, the GT Road would be vulnerable to the Indian Army. Besides, there is no river or stream to hinder the Indian Army had it decided to advance into Pakistan.

The first attack: The Pakistan Air Force bombarded the area on the evening of the 3rd December, after which at 8:20pm. Pakistan's 66 Brigade invaded India. By two in the morning it accomplished its mission of capturing Indian Territory to a depth of 3000 yards. Pakistan's 111 Brigade had been given an identical task: to seize India's Moel village that evening (and Chammb by the 5th December). However, the Indian Army stopped it in its tracks.

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Pakistan's 11 Cavalry Group needed a three-kilometre strip in order to lodge its men and then 'beak out'. The 66 Brigade had done the needful for it.

The Battle of Mandiala: The Indians had thought that Pakistan would attack from the South. That probably was why India had not deployed any armour to protect Dewa Mandiala, from which a passage led into Indian Territory.

The 11Cavlary Group captured Gurha the next morning. The tanks of India's Deccan Horse struck back at Mandiala. India held the heights. Therefore, historians of both countries agree, within a few minutes Deccan Horse destroyed seven T-59 tanks and two recoilless guns. Meanwhile, 11 Cavalry's tanks arrived from behind Mandiala North and captured that ridge by three in the afternoon—though only after losing many of its tanks and men. (By the end of December 4, eleven Pakistani tanks had been hit in this area.)

India lost the Commanding Officer and four other officers of 7 Kumaon's O Group. Meanwhile, the heroic 5 Sikh and the tank troops of Decan Horse continued to hold Mandiala South.

4/5 December: Pakistan's 13 AK Battalion captured the Mandiala bridge. However, India's 9 Horse thwarted its attempts to get its tanks to cross River Tawi into Indian land.

By the morning of the 5th December, the Indians were once again in control. Not only was Pakistan's 26 Cavalry Squadron unable to advance into India, it lost three tanks. Pakistan's Maj. General Eftikhar Khan Janjua, a great strategist and a man not easily unsettled by failures, began to modify his plans to capture Chhamb. He decided not to engage Indian troops but to look for gaps in India's defences, instead.

India had begun to think that Pakistan would continue to invade from the north, as it had on the two previous days. India

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did not expect Pakistani forces to come up from Jaimal Kot. But that was what they did. On night of 5/6 December. By the morning of the 6th, Pakistan's 23 Baluch captured ill-defended Bakan and Paur.

The Indian Army had left an opening in its minefield between Barsala and Jhanda. Pakistani historians feel that India had created this gap to enable Indian soldiers to invade Pakistan someday. Pakistan armoured Brigade looked for the gap found it and entered Indian Territory through it. By 5.30 that evening (6 December), it annexed Chak Pandit.

On that same evening, Pakistan's 4 AK Brigade captured Mandiala South—after a tough two-day battle with 5 Sikh. A few hours later, 2 Armoured had Pallanwalla—Pakistani's biggest prize in the 1971 War till then.8 India's 39 Medium Field Artillery and 216 Medium Regiment lost a hundred and seven gunners in the battle of Chhamb.

At 7.30 that evening, Major General Jaswant Singh, the GOC of India's 10 Division, decided to concede the western bank of the Tawi. He ordered the 191 Brigade to withdraw to the eastern bank of the Tawi. The crucial Mandiala Bridge was destroyed at midnight. The Indian withdrawal meant that Pakistan's 2 Armoured Brigade could now walk into Chhamb, which it did the next day (7 December)—but not without resistance from the Indian Air Force.

Brig. Saeed Ismat, SJ, was the first Pakistani to set foot in Chhamb. He recalls that Radio Pakistan announced that 'Chamb had fallen to our valiant forces' when in fact 2 Armoured Brigade 'was barely at Chak Pandit.' Ismat and captain Tariq, Gso-3, flew over Chhamb the next morning, They found Pakistani troops 'digging two miles southeast of Chamb.

The small town of Chamb was deserted and 2 Armoured Brigade was nowhere near its. .1 landed the aircraft in a grassy

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field in chamb, stitched off the engines and started a long wait for (Pakistani troops to arrive. We entered the Indian brigade command post and when we came back to my aircraft, [four] Indian SU-7s were on us throwing all sorts of munitions. It was a miracle that my little L-19 standing proud in the middle of the ground was intact, I took off to urge 10 Baluch and 2 Armoured Brigade that had stopped in their tracks after the air attack to resume their advance. I landed back at Chamb. It was in the late afternoon that 10 Baluch entered Chamb.'

Pakistan's 1 1 1 Brigade was asked to move further into the Pallawala- Jauriafi area. General Eftikhar (Iftekhar) had planned the attack in detail. However, his helicopter crashed on the evening of the 9th December. The general later succumbed to his wounds. The loss of his brilliant leadership meant that the Pakistani forces did not achieve as much as they were capable of. The 'officiating' (temporary) command of the division was given to Brig Kamal Matin, 28 Cavalry, which had only twenty-eight tanks left after the operation at Chhamb, remained the armoured component of the Pakistani attack.

The infantry attack started an hour after the midnight of 9/10 December opposite the Darh and Raipur ferries. By the next afternoon, the Pakistanis had created a bridgehead that was a kilometre deep and four kilometres wide. The Indian Army reacted swiftly. Maj. Gen Sartaj Singh, the Commander of the 15 Corps deployed 7 Kumaon, 5/8 Gurkha, 10 Garhwal and 3/4 Gurkha and a squadron of the 72 Armoured Regiment. India succeeded in containing the bridgehead.

Now the Pakistanis made a series of mistakes. 28 Cavalry Regiment had succeeded in crossing River Tawi by 1 pm on the 10th December. It asked I I I Brigade for support, which was denied. Major Nazar Hussain, the brigade major (BM) of 111 Brigade, wrongly reported that 28 Cavalry had just four tanks left. At 2pm on the 10th December, the top brass of Pakistan's 23 Division ordered that III Brigade should be withdrawn. At 6pm,

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28 Cavalry was asked to withdraw west of River Tawi and concentrate on the Singri area. Col Tauqir ul Islam of Pakistan comments, 'These were strange orders because till 12 December the entire area upto [Pallanwala] remained un-occupied by [Indian forces].

From the Pakistani point of view, as Maj. Agha Humayun Amin would later write, 'The Battle of Chamb [sic] was a battle of lost opportunities.'

The Daruchiah disaster: After Pakistan's attack on Poonch, which was successful initially, the Indian Army became concerned about its defensive position, especially in that sector. It decided to go on the offensive, even if to a limited extent, all along the LOC. On the night of 10/ 11 December it captured Nangi Tekri, Jungle Tekri and Bump.

As a result the Pakistan Army no longer able to use the Kotli-Madarpur-Hajira road in thitherto occupied Kashmir.

Daruchian is a conical strip of mountainous land in Pakistan occupied Kashmir. It is located on the LoC in the Poonch sector. Its importance is that it blocks the Balnoi neck of the Kotli-Balnoi road between River Poonch and the LOC. The Indian Army decided to recover it for India because that would straighten out the LoC and make it easier to defend at that point.

Some geniuses—especially Col. Hattal. the Indian Commanding Officer—decided that the best to Daruchali from Pakistan was to assault it from all three sides and deploy single company of 14 Grenadiers for this. A senior Indian officer who was posted near by points out that it should have been obvious that a narrow projection is attacked from three sides some shells fired from the left are Bound to fall on fellow soldiers attacking from the right. and vice sersa- And a few shells fired from behind will certainly fall on fellow soldiers on the other two sides. And that is what happened.

The Pakistanis, on their part, defended Daruchian valiantly.

The Indian soldiers did not have adequate fire support.

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The Pakistanis, on the other hand, could fire on them at COL Hattal too far removed from the scene of action to influence the battle. His colleagues say that his ideas of warfare were 'weird.'

In the event, fifty-two Indian fighters died in that disastrous offensive operation. This figure includes five young officers, had been leading from the front, as well as four junior commissioned officers.

'Who was to blame?' an Indian military historian has asked. 'All the commanders from the divisional commanders for having approved such an unsound plan.

1971: The important battles: The main battles fought in Jammu Kashmir and the neighbouring areas of the Punjab were at Chhamb (December. 6-10), Laleali-Picquet 707 (December 3-8), the defence of Poonch (December 3-7), Thanpir (December 4-5), Gutrian (December 3-7), Banwat (December 3-4), Nangi Tekri (December 10-11), Turtok, Ladakh (December 6-14), Shingo River Valley, Ladakh (December 7- 17), Brachil Pass and Wali Malik (December 7-12), Basantar River (December 5-17) and Samba (several days in December 1971).

1971 – A summary: Pakistan continues to occupy much of Chhamb to this day. Several thousand Hindus-Sikhs fled Chhamb and sought refuge in other parts of Jammu district. India made gains in the areas where it had taken the retaliatory initiatives - especially in Ladakh, where it regained Turtuk (which it had lost in 1947-48). Later, as part of an agreement with Pakistan, India returned most of what it had conquered – but retained areas like Turtuk.

Wali Mohd. Aseer Kishtwari writes, "According to the white paper [published by] Pakistan [in] 1977, India gained 340.88 square miles and lost 58.38 square miles.

Reference: from the book " A History of Jammu, Kashmir, Ladakh, Gilgit & Baltistan" by Parvez Dewan

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SHIMLA AGREEMENT, 1972

This agreement on bilateral relations between India and Pakistan was signed by Prime Minister of India, Smt. Indira Gandhi and President of Pakistan, Zulfikar Ali Bhutto, on July 3, 1972.

The Government of India and the Government of Pakistan resolve that the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the sub-continent, so that both countries may henceforth devote their resources and energies to the pressing task of advancing the welfare of their peoples.

In order to achieve this objective, the Government of India and the Government of Pakistan have agreed as follows:

1. That the principles and purposes of the Charter of the United Nations shall govern the relations between the countries;
2. That the two countries resolve to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two countries, both sides shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations.
3. That the pre-requisite for reconciliation, good-neighbourliness and durable peace between them is a

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commitment by both countries to peaceful co-existence, respect for each other's territorial integrity and sovereignty and non-interference in each other's internal affairs, on the basis of equality and mutual benefit;

4. That the basic issues and causes of conflict which have bedevilled the relations between the two countries for the last 25 years shall be resolved by peaceful means;

5. That they shall always respect each other's national unity, territorial integrity, political independence and sovereign equality;

6. That in accordance with the Charter of the United Nations, they shall refrain from the threat or use of force against the territorial integrity or political independence of each other;

7. Both Governments will take all the steps within their power to prevent hostile propaganda directed against each other. Both counties uill encourage the dissemination of such information as would promote the development of friendly relations between them;

In order to progressively restore and normalise relations between the two countries step by step, it was agreed that -

(I) Steps shall be taken to resume communications, postal, telegraphic, sea, land including border posts, and air links including over flights;

(ii) Appropriate steps shall be taken to promote travel facilities for the nationals of the other country; (iii) Trade and co-operation in economic and other agreed fields will be resumed as far as possible;

(iii) Exchange in the fields of science and culture will be promoted.

In this connection, delegations from the two countries will meet from time to time to work out the necessary details,

In order to initiate the process of the establishment of durable peace, both Governments agreed on three points as follows-

(i) Indian and Pakistani forces shall be withdrawn to their side of the international border;

ii) In Jammu and Kashmir, the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both

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sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat of the use of force in violation of this line;

iii) The withdrawal of forces and exchange of the prisoners of war (POWs) shall commence upon enforcement of this Agreement and shall be completed within a period of thirty days thereof.

This Agreement will be subject to ratification by both counties in accordance with their respective constitutional procedures, and will come into force with effect from the date on which the Instilments of Ratification are exchanged.

Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representatives of the two sides will meet to discuss further the modalities and arrangements for the establishment of durable peace and normalization of relations, including the questions of repatriation of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

Sd/-
Indira Gandhi
Prime Minister
Republic of India

Sd/-
ZulfiqarAli Bhutto
President
Islamic Republic of Pakistan

Reference: from the book "Plight of Jammu and Kashmir the unknown files" by Justice GD Sharma.

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25TH JUNE A BLACK DAY IN INDIAN HISTORY

Emergency 1975 imposed by then Prime Minister Smt. Indra Gandhi, on this day in 1975 on the country called a black day in the history of Democracy in India. All the civil liberties and fundamental rights were snatched by declaring emergency in the country on this day in 1975.

It was an attempt to curtail rights of judiciary including Supreme Court, press censorship was imposed and all rights of public were suspended. Finally country's leaders including Atal Bihari Vahjpee, Lal Krishan Advani, Chander Shekhar, Jai parkash Naryan, Murarji Desai and many others were arrested.
In Jammu and Kashmir, Sheikh Mohd Abdullah was in power and maintenance of internal security act (MISA) was misused and number of persons were arrested in this state including Dr. 0m Parkash Mangi, Romes Arora, Chander Mohan Sharma, Master Dhayain Chand, Romesh Papa, Devinder Shastri, Prof. Chama Lal Gupta, Ashok Khajuria, Pt. Amar nath Vaishnavi, Pushkar Nath Karnail and many others the name of peoples has given in details.

The main reason behind the emergency was declaration of the election of Smt. Indra Gandhi as null and void by Allahabad High Court Sh. Raj Narain, who had been defeated in the 1971, Parliamentary Election by Indra Gandhi, filed a case of election fraud and use of State machinery for election purpose against her at the Allahabad High Court.

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Advocate Shanti Bhushan fought the case of Sh. Narian. Indra Gandhi was also cross examined in the High Court this was the First such Jagmohan lal Sinha of the Allahabad High Court found the Prime Minister guilty on the charge of misuse of Government machinery for the election campaign.

The court declared her election null avoid and unseated her from her seat in the Lok Sabha. The court also banned her from contesting any election for an additional six years. Serious charges such as bribing voters and election malpractices were dropped and she was held responsible for misusing government machinery and found guilty.

The time described it as "firing the Prime Minister for a traffic ticket" however, strikes in trade, students and government unions swept across the country led by Sh. J.P. Narain, Satyendra Naryan Sinha and Morarji Desai, Protestors flooded the streets of Delhi state to the Parliament building and the Prime minister residence.

The president efforts of Sh. Narain were praised world over as it took four years for justice Sinha to pass judgement against the Prime Minister.

Smt. Indra Gandhi challenged the High Court's decision in the Supreme Court Justice. V.R. Krishna Lyer, On 24 June 1975 upheld the high court judgement and ordered all privileges of Smt. Gandhi as a MP is stopped and that she be debarred from voting. Moreover she was allowed to continue as Prime Minister.

The next day Sh. J.P. organised a large rally in Delhi. Where he said that a police officer must reject the orders of government if the order is immoral and unethical as this was motto of Mahatma Gandhi during the freedom struggle. Such a statement was taken as a sign of inciting rebellion in the country.

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Later that day, Indra Gandhi filed a complaint before President Sh. Fakhruddin Ali Ahmed to issue a proclamation of a State of emergency.

Within three hours of it the supplies electricity to all major newspapers was stopped and the leaders of opposition were arrested.

The proposal imposing emergency was sent to the President without discussion within the Union Cabinet, article 352 of the Indian constitution, Gandhi granted herself extra-ordinary powers and launched a massive crack down on civil liberties and political opposition, and organisation like the Rashtriya Swayam Sevak Sang (RSS) and along with some political parties were banned.

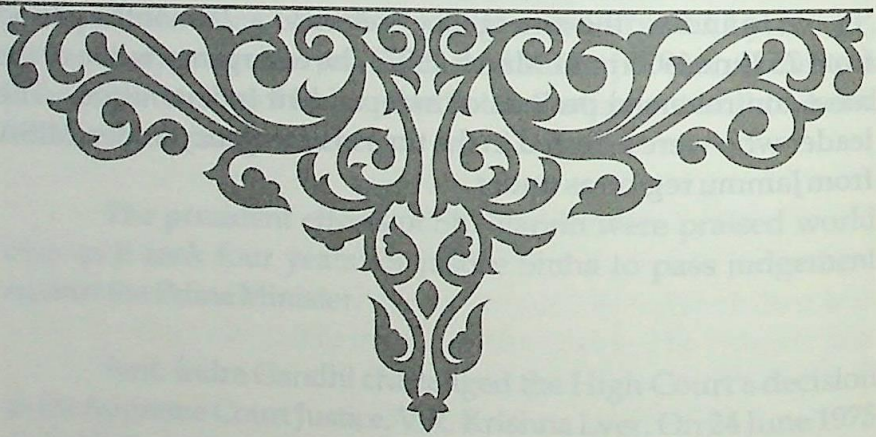
In India, "the emergency" refers to a 21 months period from 25 June 1975 to 21 March 1977. The emergency is one of the most controversial periods of independent Indian history. The leader who were arrested in the time of emergency under. MISA from Jammu region as under.

Reference: from the book "A Saga of Sacrifices Praja Parishad movement in Jammu & Kashmir"

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Nationalist From Jammu Kashmir & Leh



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BABA JITTO A RARE PRECEDENT OF SELF-SACRIFICE

As delineated in a Dogri chronicle, Jitto was born in a semi-hilly village, Aghar, 6 Ian. from Kafra (Jammu) in 1420. He was married to Maya who hailed from a nearby village. Unfortunately, she died, soon after giving birth to a baby girl. With this tragedy, for Jitto, the worshipper of Ma Vaishno, began sea of troubles and sufferings. His aunt Joja was an extremely cruel and selfish woman. She had only one plan in her mind — to get rid of.Jitto and grab the entire ancestral property for her seven sons. Her sons, all fools and worthless, were also party to their deceitful mother's intrigue. They made the life of Jitto and his tender daughter Gauri miserable. They destroyed the ripe, fully grown crops of Jitto, scared away his cattle and made him object of ridicule and taunts. Once, the sons of Joja tried to push Jitto down the hill to kill him. But luckily he survived. Joja did not spare even Jitto's daughter. She would often be intimidated and scolded. Joja even tried to poison both father and the daughter. In this miserable state, Jitto thought ofa person who was known to him — Rulho Luhaar of village Panj ore, near Jhi1Ti Shamachak (place where temple in the name of Baba Jitto and Bua Gauri exists) But in those days, journey from Aghar toPanjore was quite arduous. Jitto undertook this tough journey in 'the extremely scorchy month of June in 1457. He also had with him a pair of bulls and a plough besides his daughter.

Rulho Luhaar — A True Friend

Rulho Luhaar extended warm welcome to his friend,

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Jitto. Aware that he has left his village and was in search of employment with some landlord where he could offer his farming services, Rulho took Jitto to one Dhaggi (Ambalia) ofa townAmba Gadata. Dhaggi was a caretaker-cum-custodian ofa landlord, Mehta Veer Singh Rukwal. Mehta Veer Singh, the maternal uncle of Jammu's ruler Ajab Singh was also a senior officer in his administration. Jitto met Mehta Veer Singh. Mehta told Jitto – 'You are a Brahmin, we will assign you the job of looking after a temple and you make your living out of the offerings and donations received in the temple. ' Jitto did not accept the proposal and seeing the arrogance in his nature, Mehta advised him to clean up a land of 9-10 Kanals in a nearby jungle and make it suitable for agriculture. Jitto was also asked to make an agreement under which he will cultivate the land and give 1/4 of the produce to the landlord. Jino worked hard, levelled and cleaned up the land within a few days. He also worked on a nearby pit and made it suitable to be used as a water tank. As expected, the barren land was convened into a fertile piece of land fit for growing crops. His hard work and dedication brought him wide acclaim and respect from the people of the region. People believed that he was, undoubtedly, blessed with miraculous qualities and abilities.

Deceitful Landlord Mehta Veer Singh

The folklore says that the news of Jitto 's hard work and how he converted barren land into a productive piece of land reached Mehta Veer Singh. Mehta's men also told their master that the gold-like granules which Jitto had grown were suited for the royal kitchens and not an ordinary fanner like Jitto. Mehta too realised that he had committed a mistake in accepting1/4th of the produce under an agreement. But soon it occurred to him that the written agreement was in his possession. He destroyed the agreement and went to Jitto working in the fields. Seeing the heaps of wheat grains he turned greedy. Full of anger and greed, he ordered his men to take possession of half of the produce. Jitto

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was taken aback by Mehta's behaviour. He reminded Mehta of the written agreement between them as per which he could take only 1/4th of the produce. Mehta refused to accept the agreement. Jitto was totally shocked. He could not have imagined that such a respectable landlord of the region could stoop too low in his dealings.

Unique Sacrifice

It was the most testing moment for Jitto. He had to choose between complete surrender to the powerful and deceitful Mehta Veer Singh and laying down his life to protect his right and honour. This thought flashed in his mind like lightening. He rushed to his village Panjore. Mehta thought he was a poor Brahmin and had fled away out of fear.

Jitto reached his friend Rulho Luhaar's house, took a new dagger and rushed back to the fields. By then, Mehta 's men had already filled half of the grains in the bags. Mehta's men were surprised to see Jitto coming back. As they got aside, cutting the strings of all the bags Jitto spilled the grains in the entire field. He, then, stood atop the heap of grains. Mehta was shaken in utter disbelief. He tried to play another trick, offering him the gold rings he was wearing. But Jitto shot back, "Mehta, your greed has no limit. You are wolf in a man's garb, you are a man eater in the habit of devouring human blood. Look, I am mixing my own blood in the heap of grains. Take the entire produce of wheat. Saying this, Jitto stabbed himself in the heart. His gushing blood flowed into the wheat grains. The whole atmosphere was seething in blood and pain.

Thus, Jitto's sacrifice on the Purnima day, Vikram samvat 1515 (June, 1458) unleashed a new ray of awakening for 'rights' in the land of Dogras. Jitto's eight year old daughter Gauri immolated herself on the pyre other dear father's body.

(Ramnath Shastri – Tavi Deepika November 1986)

Jhirri's Fair in the Martyr's Memory 'Duggar Ratna' Baba Jitto

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immortalised himself in the annals of history as a beacon Of light, inspiration and guiding force for the entire class of workers and farmers who suffer untotd misery and pain in the hands of the Landlords and feudals, A fair is held every year at Jhirri near Jammu in the memory of Baba Jitto, Khatri brothers of Sialkot built a memorial in his name. They had seen the Sacrifice Of Baba Jitto and immolation of his young daughter, The mohra' that they set up in, the memorial are worshipped in this Kartik purnima festival.

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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19TH KUSHOK BAKULA RINPOCHE

The 19thKushok Bakula Rinpoche was born on 21st May 1917, in a royal family of a village Maarho in Ladakh, as Thupstan Chonjorand was the great-great-great grandson of Tsepel Tondup Namgyal, the last independent king of Ladakh. At an early age when he started to show his distinctive aura and qualities and his keen interest in monkhood and was later sent to the Phetub Monastery to be ordained as monk. Due to his compassionate personality along with calm loving nature, he was later recognized by the then Thirteenth Dalai Lama as a reincarnation of Bakula Arhat, one of the Sixteen Arhats or the early disciples of the Lord Gautama Buddha.

He went to Lhasa(Tibet) at the age of 13 and receive education in the great Drepung monastery which was the largest monastic institution in Tibet there he was awarded the degree of Geshe Larampa(the highest degree in Buddhist metaphysics) at the age of 25 and get his geshe ordination from the 13th Dalia Lama. After returning from Tibet he dedicated his life in serving the people of Ladakh for their better future.In the very first democratic elections in Ladakh in 1949 the people of Ladakh had elected Bakula Rinpochey as their leader and the president of the National Conference Party. He served as Minister of State in J&K State Government from 1953 to 1967.He was the member of the fourth and the fifth Lok Sabha from 1967 to 1977. He also served as the member of the consultative Committees in Indian Parliament for defense, education and planning. His role in

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education was unforgettable, under his guidance the then 'Ladakh Buddhist Association' and 'Ladakh Gompa Association' were able to establish the Buddhist philosophy school in village Choglamsar, now named as Central Institute of Buddhist Studies, on 23 October 1959 with only ten students.

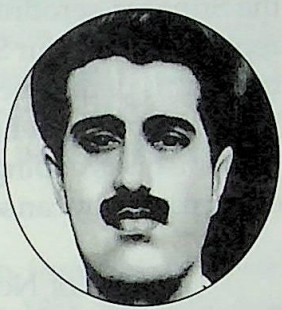
In 1949 again with the tireless efforts of BakulaRinpochey the Government of India sanctioned scholarships for eighteen Ladakhi novices to obtain modern education at Sarnath, and in 1961 another five young monks were sent to study Buddhism in Sri Lanka. In 1963 with his effort the Ladakh Institute of Higher Studies was established in Delhi with students from various Himalayan regions such as Himachal Pradesh, Arunachal Pradesh, Assam, Manipur, Nagaland, Mizoram etc. the school was government recognized and also scholarships were sanctioned to the students. Bakula Rinpochey during his last years also gave stress on the government of J and K for the need of university in Ladakh in that concern the then (2003) C.M of J&K Mr. Mufti Mohammad Syeed during one of his personal visit at Samkar monastery told Bakula Rinpochey that steps has been taken to set up a new university campus in Leh. In 1968 Bakula Rinpochey was elected unopposed to represent Ladakh in the National Parliament in New Delhi. On August 7, 1978,Bakula Rinpochey was appointed member of the first Commission on Minorities and served till December 11, 1989. Then from 1990 till 2000 he served as an Indian Ambassador to Mongolia. In 1986 Bakula Rinpoche was awarded by a prestigious Padma Bushan. He died on 4 November 2003 in New Delhi.

Reference: from the book "A Saga of Sacrifices Praja Parishad movement inJammu & Kashmir"

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MAQBOOL SHERWANI



Every year, on its Infantry Day, the Indian Army commemorates saviour of Kashmir Mohd Maqbool Sherwani. It has also constructed a Memorial Hall in his name in Baramulla town. But that is all. None else observes a day for this saviour whom the tribals captured on November 7, 1947 and virtually crucified.

Highlighting Maqbool's daring deed , his first cousin Ghulam Mohd Sherwani, General Secretary, District Congress Committee, Baramulla, says, "Way back in 1947, the young Mohd Maqbool Sherwani was just 19 but he single-handedly frustrated the advance of thousands of raiders (Kabailis) from Baramulla, thus giving valuable time to the Indian Army to land in Srinagar and push back raiders. The raiders put him on a wooden cross, nailed him and fired upon 10-15 times. He remained like that for two to three days. His body was brought down only when the Army reached the place."

Ghulam Mohd says that when the raiders were heading for Srinagar, Maqbool Sherwani misguided the infiltrators on to wrong routes and made them lose four precious days so that the Indian army could reach Srinagar for its defence. When Maqbool was captured by raiders, the Amir of raiders softly told Maqbool "You are a promising young man. We will forgive you if you yourself join us. As proof positive of your change of heart, you must tell us the secret position of the militia (state force) and Indian troops in Shalteng and also show us the shortest route to

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the Srinagar aerodrome". "No, that shall not be", was the firm reply of the saviour Sherwani. The Amir wrote "Sherwani is the traitor; his punishment is death" on a piece of paper in Urdu and pasted it on his forehead . The Amir ordered his his men, "Tie his ears and his drooping head and arms straight to the posts so that every passer-by can see him.. Fire ..." .

On 8th of November, 1947, raiders were driven out of Baramulla. One of the first acts of the freed people was to reclaim the dead body of Sherwani and to bury it in the graveyard of Juma Masjid of the town with full military honours.

Since his childhood Maqbool was a dedicated activist of Sheikh Mohd Abdullah. He was martyred before he could marry Zeba with whom he was engaged. When Mohammad Ali Jinnah visited Kashmir and spoke at Baramulla on his 'two-nation' theory Sherwani forced him to come down from the platform and this stopped his speech. Ever since the founding of the All Jammu and Kashmir National Conference in 1939 by Sheikh Abdullah, Maqbool Sherwani had been a staunch supporter of the national cause of the forty lakhs of Kashmiris who demanded freedom from the Dogra monarchy. " But today the Sherwanis are being looked upon as "traitors" and branded as "Indian agents.. The successive governments have ignored them," says Ghulam Mohd.

Amir ordered his men, "Tie his ears and his drooping head and arms straight to the posts so that every passer-by can see him.. Fire ..." . On 8th of November, 1947, raiders were driven out of Baramulla. One of the first acts of the freed people was to reclaim the dead body of Sherwani and to bury it in the graveyard of Juma Masjid of the town with full military honours.Memorial hall in in the name of Maqbool Sherwani constructed by the army.

About Sheikh Mohd Abdullah, he says that he was a self

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centered person who never cared for his loyalist workers after getting power . That tradition still continues in the National Conference. " When my brother was assassinated, Maqbool's father Mohd Abdullah Sherwani met Sheikh Mohd Abdullah and asked for a livelihood for his other son. Sheikh Mohd Abdullah did not care," he says.

Ghulam Mohd is the only person from the Maqbool Sherwani's family who joined politics in 1958 when he was serving in the education department. Later, he became an active member of Indian National Congress in 1975. Asked about the Kashmir problem, he said there would be no end to the ongoing dialogues process being held between India and Pakistan and Kashmir would remain depressed.

He said, "those who visited Pakistan or PoK in private discussion told me that they have no love for Pakistan". Commenting upon the political scenario of the state, he said, "Coalition governments in J&K state never worked. When Mir Qasim was Congress chief minister, the party was being considered pro-people party and it flourished but after his removal the party slipped into lobbyism. The central leadership of Congress is responsible for encouraging lobbyism between Gulam Nabi Azad, Union Health Minister, and Prof. Saifudin Souze (State President of Congress)."

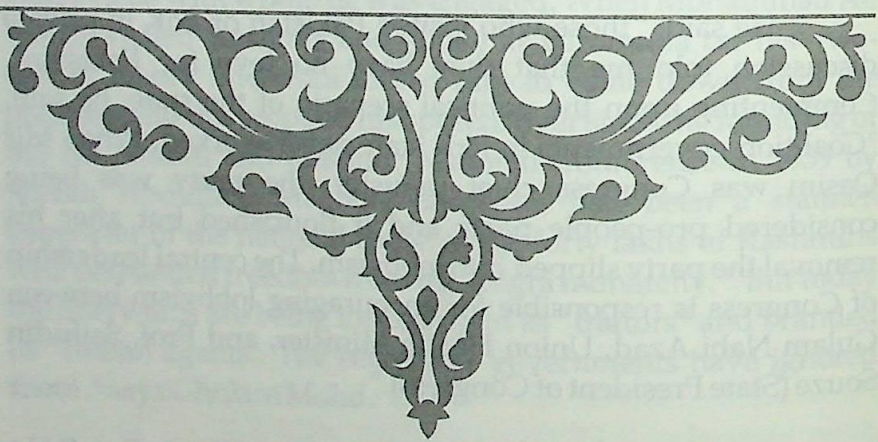
He said that he met Congress President Sonia Gandhi in 2009 with a memorandum of the grievances of workers and requested her to set the state committee in order, but 'till now nothing has happened.' About the Congress-National Conference alliance, he said, "both are cutting each other's roots. The coalition between the two has never ever percolated down to grass-roots ."

Reference: from the book "A Saga of Sacrifices Praja Parishad movement in jammu & Kashmir"

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Militancy starts in J&K



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JAMMU AGITATION 1978-79

As the Praja Parishad movements of 1952-53, the dismissal of the first popularly elected ministry of Sheikh Abdullah in August 1953, his arrest and the subsequent regimes could not redress any substantial grievances of the people of Jammu region, the masses there continued to be discontented, tense and frustrated. Their frustrations had been manifest in various movements launched in the region in the post-August 1953 period. The major charges levelled by various political parties and groups of Jammu was that the region was discriminated against not only in the matter of appointments, promotions, admission to professional institutions by discarding consideration of merit, allotment of developmental funds but also in regard to sharing of political powers. Even all the recommendations of B.R Gajendargadkar Commission of 1967 to inquire into the regional imbalances were not fully implemented by the then state government. The Jammu Autonomy Forum and the local unit of the Socialist Party of India, thus, raised the slogans for the grant of Regional Autonomy for Jammu Region as well as adoption of a just policy for recruitment to government jobs. The Secretary Sikh Brotherhood Jammu and the state unit of Congress (I) also condemned the policy of discrimination adopted by the State government and demanded to remove regional disparities. In short by 1977 Jammu region seemed to be full of tensions and irritations and bubbling with feelings of deprivation.

However, 97 days' movement (called Poonch Agitation) launched by the rejected qualified candidates against the

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backdoor appointment of teachers by the District Recruitment Board Poonch in October 19787 had added fuel to fire. It provided the flash point of regional upsurge throughout Jammu, Over two thousand students of various Colleges as well as the University of Jammu took out a protest procession and marched to the state Secretariat on 29th November, 1978 in sympathy of agitating Poonch students. Even the opposition parties of Jammu called an emergency meeting to take stock of Poonch Agitation.9 Some of opposition leaders gave a call for Jammu Bandh on December 4, 1978 as a mark of protest against the police firing at the peaceful students in Poonch on Dec. 2, 1978. As the discontent of the people had been accumulated over years the bandh provided them an opportunity for a powerful outlet. The bandh, therefore, assumed not only violent but dangerous dimensions and resulted into attack on Police Stations, burning of government vehicles and destroying public property. Some violent incidents also occurred in bandhs observed at Rajouri, Udhampur, Mendhar, Akhnoor and some other cities of Jammu region. Such incidents further worsened the law and order situation in the region. In short the violence that ensued left behind a trail of bitterness in the shape of some loss of public property, huge loss to the State economy and the loss of a few precious human lives. The agitators, initially voicing their feeling against the alleged discrimination in the selections, soon broadened the canvas of their campaign to ventilate their pent-up chauvinism about the remaining two regions on the score of imbalances alleging that the Jammu region had been discriminated against.

However, an All Parties Jammu Committee comprising 21 members from various oppositions parties and groups under the Presidentship of L. Suraj Parkash Gupta — a leading Advocate from Jammu was constituted to express its solidarity with the demands of the Poonch agitation, including inquiry into irregularities in recruitment and police excesses. Mr. Dhanraj Bargotra — the then sitting MLA, was its Secretary. Later on it decided to enlarge its scope to struggle for permanent

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solution of the Jammu problems. Its aim was also to expose chauvinistic approach of the ruling party towards the problems of Jammu and to support the peaceful struggle of the people of Poonch against worst kind of nepotism, corruption and injustice."

With this end in view, the All Parties Jammu Committee unanimously adopted the following proposal on 6th December, 1978 drafted by the Sub-Committee headed by Mohammad Ayub Khan:

"There should be statutory, political and democratic set-up at regional, district, block and Panchayat levels with a view to giving a sense of participation to all sections of people and areas within each region and furthering the following objectives.

1. Strengthening the national integration and integrity of the State;
2. Promoting communal harmony;
3. Maintaining identity of the three regions of the State;
4. Ensuring a sense of equality among the people of the three regions;
5. Safeguarding the interests of minorities, scheduled castes, socially and educationally backward classes, economically backward sections and backward areas, displaced persons and ex-servicemen:

The proposal further stressed that "to recommend details of the above set-up, a Commission headed by a retired Judge of the Supreme Court should be appointed immediately which should submit its report within six months."

While commenting on the movement Dr. Karan Singh pointed out that the agitation in Jammu region be not treated just as a matter of law and order problem. He said, the trouble in Jammu was in fact a part of the broader question of regional imbalances and Poonch was only a symbol of the pent anger in Jammu caused by discrimination in various field." He was of the opinion that the government should understand the problem

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and accordingly take steps to avoid tension in the region-18 He expressed the need for ensuring the maintenance of the state's integrity which could only the possible by means of treating all the three regions Jammu, Kashmir and Ladakh on the basis of justice and equality. He also justified the demand for setting up a judicial Commission of inquiry under a retired Chief Justice of the Supreme Court of India.19 Reacting on the comments of Dr. Karan Singh; Sheikh Mohammad Abdullah accused him of having created the trouble in Jammu. On the other hand the opposition parties had taken a joint decision to continue the struggle till some solution was struck out.

The State government then announced a proposal for the constituting of a committee of fifteen legislators belonging to ruling party as well as opposition parties to look into allegations of regional imbalances.21 While rejecting this proposal the opposition leaders of Jammu accused Sheikh Abdullah, the then Chief Minister of the State, for side tracking the real issue and seeking perpetuation of his undemocratic authoritarian rule.

They also criticised him for his erstwhile statements in which he had said that Jammu region lacked in popular leadership and that the region itself was heterogeneous in its composition.

By January 1979 serious differences emerged among the State unit of Janata Party legislators on the issue of regional imbalances in the State. Mr. Rishi Kumar Kaushal — one of the Janata Party leaders and the sitting member of the Assembly declared his full support to Sheikh Mohammad Abdullah and wanted the withdrawal of the movement. But majority of Janata party legislators did not agree with him and wanted that the movement be continued till constitutional guarantees were provided to safeguard the interest of Jammu.

However, the demands of the All Parties Action Committee and other issues arising out of the agitation were

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discussed threadbare between Chief Minister Sheikh Abdudllah and the representatives of the Committee on February 28 and March 2, 1979. The Chief Minister informed the representatives that the government had, in pursuance of the recommendations of the Legislators Committee decided to appoint a Committee of expert consisting of an economist of repute, a constitutional expert of high standing (preferably a retired Chief Justice of India) and an Administrator with sufficient experience to look into the question of regional imbalances in the field of development, services and admission to professional institutions and to suggest measures constitutional or otherwise to remove the imbalances and to ensure permanently a just and an equitable treatment to all the regions of the State and all the areas within the regions. He also agreed to release political prisoners including detenus and those arrested during the agitation and to withdraw all cases excepting those involving offences of very grave nature, as soon as the agitation would be called off. He further agreed to widen even the scope of the Commission of Enquiry set-up to probe into Poonch firing by including within ambit an enquiry into the circumstances immediately leading to firing of December 2, 1979 and subsequent cases of Police firing there.

Other demands of the Action Committee were also discussed with the Chief Minister, who agreed to take action with regard to them in the manner indicated below,

(a) He assured the All Party Committee that civic election in Jammu region would be held as soon as normally was restored.

(b) He informed the representatives of the Committee that the Government had already announced its decision to appoint a High Power Committee to consider reforms in the present system of education with a view of solving the problems of unemployment.

(c) With regard to the demand of restarting Ayurvedic College in Jammu the Chief Minister assured the Committee that he would formally urge the Central Government to consider setting up of full fledged regional Ayurvedic and Unani

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Colleges in the State as it was beyond the resources of the State Government to set up such institutions on its own.

(d) The Chief Minister informed the representatives of the Committee that the matter relating to the displaced persons of 1947, which concern the State Government, had already been sorted out and an implementation Committee had been set up for this purpose under the Chairmanship of the State Rehabilitation Minister. He would ensure early solution of these problems and implementation of the decisions;

In regard to the problems of displaced persons from West Pakistan who migrated to the State in 1947 and those who have been residents in the State for more than 25 years, the Chief Minister assured the Committee that the question of granting to these people the civic rights would be considered sympathetically;

(f) As regard the demand for reinstatement of the Government Employees dismissed from service during Emergency the Chief Minister assured the Committee that their case s are always open to review.

(g) The Chief Minister further agreed to discuss the matter relating to students with their representatives as early as possible;

(h) The Chief Minister informed the representatives of the Committee that a Committee has already been set-up to fix minimum wages under the Minimum Wages Act. He agreed to an early action being taken in this regard; and

(i) The Chief Minister agreed to order enquiry at district level into the alleged irregularities in the distribution of Taccavi loans, fertilizers, cooperative loans etc. and agreed to examine the question of recoveries in easy instalments.

The representatives of All Parties Jammu Action Committee expressed full satisfaction with the decision taken and assurances given by the Chief Minister. They, therefore, agreed to recommend to the All Party Action Committee to call off the agitation.

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L. Suraj Prakash Gupta, the Presidents of All Parties Jammu Committee in his letter to Sheikh Mohammad Abdullah dated March 4, 1979 informed him that the Draft Accord sent by him had been approved with the following amendments and deletions.

1. The words, " In pursuance of the recommendation of the Legislators
Committee" be deleted.
2. After the words, "or otherwise " in Para 2, the words, "to provide a sense of equal participation" be inserted.
3. After the word 'All that" and before the word "regions" the word "three" be as added.
4. In paras 3, after the word "release" the word "all" be inserted.
5. In para 'd' the words "These problems" be substituted by the words "all the problems, whether sorted out or not, pertaining to the displaced persons of 1947, 1965 and 1971."
6. In para (c) after the words "on the own" the words 'land in the mean- time the Ayurvedic College in Jammu will continue to function" be inserted.
7. In para 'g' the word 'as early as possible' be substituted by word 'immediately'
8. In clause (e) the words "civil and rights of a citizen" be substituted for words "civic."

The original draft was then returned to Chief Minister for making necessary changes and hoped that in the spirit and congenial atmosphere in which they had met each other, he would agree to the amendments suggested and to enable them to take further necessary steps in that

The Chief Minister Sheikh Mohammad Abdullah in his letter dated March 5, 1979 informed L. Suraj Prakash Gupta the President – that so far as amendment No. 1, it would be unfair to omit a reference to the recommendation of the Legislators Committee. He also justified for not accepting the proposed amendment second. He also accepted the third proposed amendment. So far as proposed amendment No. 6, he assured

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that those who would seek admission to the Ayurvedic College in Jammu or Unani College in Srinagar would be considered for admission in highly reputed College in the Country and appropriate financial assistance both in the form of loan and scholarships would be made available by the State government. So far as proposed amendment No. 7, he thought jt was an unnecessary apprehension expressed by them. As regard proposed amendment No. 8, he pointed out that the word 'civic' had already been mentioned. In the end of his letter he once again assured him that there was no room for distrust and that he sincerely wanted to set right all the problems which need the attention of the government regardless whether they found a mention in the record note or not.

In his reply to Sheikh Mohammad Abdullah dated march 6, 1979 L, Suraj Prakash Gupta, the President All Parties Jammu Committee, Jammu regretted that he had not found it possible to accept all the proposed amendments. He furhter pointed out that they had decided in the larger interest not to adopt a rigid and uncompromising attitude. He said that the revised agreement incorporating the agreed changes, though not fully satisfactory nonetheless did meet to a substantial extent of main demands of the agitators. They had, therefore, decided to accept amended agreement and to call off the agitation. According to Accord both the parties agreed

(a) That a Committee of Experts consisting of Economics of repute, a constitutional expert of high standing preferably a retired Chief Justice of India and an administrator be appointed to look in the question of regional imbalances;

(b) that all the political prisoners and detenus and the persons arrested during the agitation be released and all the cases excepting those involved in offences of very grave nature, be withdrawn.

(c) that civic elections in Jammu region would be held as soon as normal conditions were restored.

(d) that a high power Commission to consider reforms in the system of education with a view of solving the problems of

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unemployment would be appointed.

(e) that an Ayurvedic and Unani Colleges in Jammu with the consent of the Central Government would be started;

(f) that an early settlement of the dispute relating to the displaced persons of 1947 was ensured by the government;

(g) that the grant of civil rights to be displaced persons migrated from West Pakistan was ensured by the Government.

(h) that the government employees dismissed from services during emergency would be reviewed by the Government;

(i) that the government would take an early decision in the matter of fixing minimum wages under the Minimum wages Act; and

(j) that the government would order an enquiry at district level into the alleged irregularities in the distribution of Taccavi loans, Fertilizers, Cooperatives loans and would examine the question of recoveries in instalment thereof.

On the basis of this Accord not only the Jammu agitation which was called off on March 6, 1979 but the President of All Parties Jammu Committee also assured Sheikh Mohammad Abdullah, the then Chief Minister of the State, that in the task of ensuring a fair deal for the three regions and safeguarding the democratic rights and aspirations of the people of the state he would have the full cooperation of the Committee .Many factors and contributed to the success of the Jammu Agitation of 1978-79, Mention may particularly be made of the martyrdom of the youth, courageous struggle of students, active cooperation of all sections of the people and their unstinted faith in secularism, solidarity expressed by the senior leaders of Kashmir and Ladakh, interest shown by national leaders viz Shri H.M. Patel, the then Union Home Minister, Shri Chandar Shekhar, the then Janata Party President, Lok Nayak Shri Jayaprakash Narayan etc.

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ILL-WILL TOWARDS JAMMU

The regional basis loaded with communal considerations against Jammu was in the mind set of the National Conference. They in their movement had been raising the slogans "Dogro Kashmir Chhor Do" although Maharajas rule was dynastic and the common Jammuites had little to do with the ruling dispensation. But the slogan of the NC's was on the pattern of Quit India Movement against the imperialist Britishers. Hence, NC's had little foot hold in the Jammu region which was known as land of Dogras.

After the end of monarchy in wake of British rule and a sad situation created leading to taking up the region of powers by Sheikh Mohd Abdullah with the full backing of the Prime Minister Jawahar Lal Nehru, the new class of NC's rulers descended upon Jammu like the Conquers . They resorted to inflict all sorts of social and other ills with the services of the time servers.

In the hapless situation , thus created the emergence of Praja Parishad came to be like an Avtar and Pandit Prem Nath Dogra crusader .Instead of mending their way the new rulers started playing their cards to subjugate the Jammuites and likewise that of the people of Ladakh.

Delebrate lack of Fairenss

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Basics of a democracy require a fair representation to all the areas and its people. But in Jammu and Kashmir the Govt. leaders of the National Conference supported by the powerful leadership of the Congress at the centre indulged in manipulation and Jammu and Ladakh region were denied their due even in the allotment of Assembly seats. And, thus a process of discrimination of one region over the other began and that too with a communal angle.

As there was no jurisdiction of the election Commission of India the Delitation of Assembly Constituencies was held in a arbitrary manner from the very beginning. In the House of 75 members Jammu region was allotted just 30 seats and only two to the vast region of Ladakh.

In this State no census was conducted unlike other parts of Country in 1951, although there was much upheaval because of invasion of the State by Pakistan and one third of J&K was still under control of the invaders.

Even in the very low number of seats this allotment was too heavily loaded with communal consideration.

Though the number of seats of the Assembly was increased from 75 to 87 in late eighties but no Delitation was allowed to be there in a judicious manner.

When the strength of voters of Jammu region came to be bigger than that of the valley, the Farooq led National Conference dispensation amended the State Constitution in 2001 putting an embargo that there would be no delimitation of the Constituencies till 2026.

What sort of regional and communal considerations wayed high in this regard a detailed atopsy has been made in the book-"loaded Dice by eminent analysts Sant Kumar Sharma and sen kumar Gupta

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Comments on population Census-2011
By: Prof Virender Gupta

As per recent Assembly elections held in September-October 2002 the total number of voters in Jammu Province were about 28.92 lac voters (inclusive of migrant voters) with 46 Assembly seats in Kashmir region. However, the census conducted in past as well as that conducted in 2001 were manipulated in favour of Kashmir province. In the Census 2001 practically no census was conducted in most of the Kashmir region, particularly where there was extreme militancy. A total growth of population vis-à-vis 1981 census in Kashmir province was shown as 73.6 % and that in Jammu province as 61.7 %. This was inspite of the fact that over 4-5 lac population of Kashmir province which also include Muslims along with Kashmiri Pandits and other minority communities, migrated to Jammu province. The astonishing fact of the census report is that the areas like Kupwara and Anantnag which were extremely affected by terrorists have shown maximum rise of population 94.7 % and 78.3% respectively. This clearly reflects the mindset of Kashmiri leadership and their manipulate capability to turn the figures in their favor and deny Jammu region of its judicious claims in all spheres of life. There was a popular demand of the people of Jammu region to scrap this bogus document and hold fresh census under the supervision of a team eminent experts from outside the State but no ear was given to it.

District – wise Population Growth in J&K State as per Census Reports

Year ⟶	2001	1981	% Increase
Kashmir Province			
Kupwara	640013	328742	94.7
Baramula	1166722	670142	74.1

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Srinagar	1238530	708328	74.9
Badgam	593768	367762	61.7
Pulwama	632295	404078	56.5
Anantnag	1170013	656351	78.3
Total	**5441341**	**3134903**	**73.6**
Jammu Province			
Doda	690474	425262	62.4
Udhampur	738965	453636	62.3
Poonch	371561	224197	65.7
Rajouri	478595	302500	58.2
Jammu	1571911	943395	66.6
Kathua	544206	369123	47.4
Total	**4395712**	**2718113**	**61.7**
Ladakh Province			
Leh	117637	68380	72.0
Kargil	115227	65992	74.6
Total	**232864**	**134372**	**73.3**

MAJOR POLITICAL BLOW TO JAMMU

To establish their hegemony in the 75 member, constituent Assembly of the State, the representation of Jammu was earmarked just 30 against 43 to Kashmir valley and two seats to Ladakh although the geographical area of Jammu region was for bigger than that of Kashmir Valley despite population of the two major regions was almost equal.

No census was held in this State in 1951 unlike other parts of the Country.

The geographical area of Jammu is 26293 Sq. Kms and that of Kashmir Valley is 15948 Sq. KMs of the Ladakh Region is 59416 Sq. Kms. Some detail account given in the book "Loaded

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Dices" by Sh. Sant Kumar Sharma & Dipanker Sen gupta.

DELIMITATION OF ASSEMBLY CONSTITUENCIES

The Basis of Delimitation in J&K State: The Jammu and Kashmir Representation of Peoples Act 1957

The Jammu and Kashmir Representation of Peoples Act 1957 (Act IV of 1957) says in part 11 vide section-4, subsection -2 that the Delimitation Commission shall in the manner herein provided, distribute the [Eighty-seven] seats in the Legislative Assembly to single member territorial constituencies and delimit them having due regard, as far as practicable to the following :-

(a) (i) Population as ascertained at the last preceding census of which the relevant figures have been published ;and
(ii) geographical compactness ;and
(iii) nature of terrain ; and
(iv) facilities of communication ; and
(v) the like consideration.]

(b) Constituencies in which seats are reserved for the Schedule Castes shall be distributed in different parts of the State and located, as far as practicable, in those areas where the proportion of their population to the total is comparatively large.

The last delimitation process carried out by Justice K.K.Gupta dated 27.04.1995 defies the Representation of the People Act 1957. Experts say that had a proper delimitation been carried out, the allocation of legislative assembly seats would have been the opposite to that of today for the Jammu) and Kashmir regions; today Kashmir has 46 seats, Jammu has 37 seats and Ladakh has 4 seats in the assembly. Today almost every party is seeking a revision but they must seek the revision

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as per the act. No other approach shall be justified) in the long run. Legally also it should be carried out as per theft factors mentioned above i.e., as per the act. But before that is done it is important to have a relevant census in place. The last census was in 2001 and the same is not in order.

Usually, when more than one criteria is laid down for a particular thing, each individual criteria is given a percentage weightage.

Otherwise, if only one criteria is to be given an overwhelming weightage, it effectively means that the other criteria become null and void.

According to the Census figures of 2001, the population of the Kashmir region is higher than the Jammu region. As such, the common argument that is advanced for justifying the Kashmir region having higher number of seats in the Legislative Assembly is that higher the population, higher the number of constituencies.

The paradox lies in the fact that the number of voters in the two regions does not seem to follow population. However, sticking to the letter of the law is one sure way to explain why the Kashmir valley has 46 Assembly segments and Jammu

37.

The Representation of Peoples Act, 1957, however, **does not say that population is the only criteria to be taken into account while delimiting constituencies.**

The other factors that have to be given due weightage for delimiting the constituencies thus seem to have been given the go by. They do not appear to have been taken into account at all. According to the electoral data of the Election Department of Jammu and Kashmir, the projected population of the Jammu region (in 2008 in the run-up to the Assembly elections is

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53,22,829, that of the Kashmir region 65,80,521 and of Ladakh 2,84,199.

In the same data, it is mentioned that the average population per constituency in the Jammu region is 43,860; in the Kashmir region 1,43,054 and in Ladakh only 71 ,049.

The average number of electors per Assembly constituency for Jammu, Kashmir and Ladakh is 83,362 voters; 70,884 voters and 38,128 voters, respectively.

In an area of 26,293 square kilometers, the Jammu region has a total road length of 4,571 kilometers. This means that the region is very poorly connected and has only 4,571/ 26,293=0.17 km per square kilometers of roads.

I

n contrast, with an area of 15,948 square kilometers, the total length of roads in the Kashmir region is 7,129 kilometers. This means that the Kashmir region is better connected and has 7,129/15,948= 0.44 km per square kilometer of roads.

Clearly, Jammu with the far greater area and far less road length is more poorly connected than Kashmir. Thus under the Representation of Peoples Act, if due weightage is taken of this criteria of connectivity, Jammu should clearly get greater weightage than Kashmir. This for some reason is not the case.

Another criteria laid down in the RPA is the nature of the terrain, meaning more difficult the terrain the greater weightage it should get for getting representation in the legislature. Anybody with a very cursory acquaintance of the terrain of the state knows clearly that the mountainous Doda, Poonch, Rajouri, Udhampur and parts of Kathua (like Bani, Lohai and Malhar etc) present a formidable challenge to the habitants.

The districts of the Kashmir region, although located on a

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higher altitude, are a lesser challenge to the inhabitants as vast areas are flat, level Valley. The areas of some district like Kupwara and Baramulla are definitely comparable to mountains of the Jammu region.

In the newly-created Bandipora district, Gurez is one of the three constituencies going to the polls. The area is serve' by a fair-weather road and remains cut off from the world during the winter months.

Apparently taking into account its remoteness, Gurez is a separate constituency to give representation to the people. It is in fact the smallest constituency in the entire Kashmir region having only 15,330 voters for the coming Assembly elections.

In the newly-created district of Kishtwar, vast tracts c areas like Navapachi and Dachan, Marwah and Warwan area are easily comparable to Gurez. In fact, some of these areas are worse off than Gurez in terms of connectivity as the nearest road is 30 or 40 kilometers away. **No road, fair weather c otherwise, has been constructed in these areas till date.**

The population of these areas forms a part of the electorate of vast Kishtwar constituency which has 70,218 voters. If the analogy of Gurez were to applied to these areas Dachan, Marwah and Warwan would perhaps get a Separtae constituency of their own.

Similarly, the fifth criterion of (v) the like considerations generally refers to social infrastructure like schools, medical facilities. So on and so forth,

If this yardstick were to be applied to the regions of Jammu and Kashmir, objectively, the vast Jammu areas would fare far worse than those of the Kashmir. The Kashmir valley has a super-speciality medical institution in **Sher-i-Kashmir**

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Institute of Medical Sciences (SKIMS), an international airport, SKICC convention centre) and such other facilities.

Thus, on these grounds too, the Jammu region has greater claim to better representation in the Legislative Assembly.

Overall, it thus seems that four out of the five criteria as enunciated and laid down in the RPA have not been adhered to while delimiting the Assembly constituencies A scrutiny of the RPA also shows that no weights have been assigned to four out of the five criteria.

FLASHBACK: THE 2002 ASSEMBLY ELECTIONS

Let us go back to the last Assembly elections that were held in J&K in 2002. At that time, there were 31,06,114 voters in the Jammu region and only 28,84,841 in the Kashmir Valley. The average constituency size in **Jammu was 83,949** and in the **Kashmir region 62,713**, a difference of **21,236 voters per constituency**.

Constituencies	Electorate	Constituencies	Electorate	Difference
Jammu Distt.		**Srinagar Distt.**		
Jammu West	163689	Batmaloo	104213	59476
Gandhi Nagar	153334	Hazratbal	85,827	67507
Vijaypur	101046	Amirakadal	74,442	26604
Jammu East	87,332	Khanyar	72,495	14837
Akhnoor	81,788	Idgah	70,372	11416
Bishnah	81,424	Ganderbal	68,402	13022
R S Pura	77,388	Zadibal	67,852	9536
Raipur Domana	77,364	Habbakadal	66,782	10582
Samba	74,934	Sonawar	63,272	11662
Marh	68,194	Kangan	50,446	17748
Chhamb	63,294			
Nagrota	62,238			
Suchetgarh	59,238			

In percentage terms, voterwise, this worked out to a little **over 33 per cent**. It means the constituencies in Jammu, as compared to those in Kashmir, were **33 per cent bigger** in terms of number of voters.

Let us take another example. There were ***7,24,103*** registered voters in the Srinagar district, then comprising 10 constituencies. The number of voters per constituency in Srinagar then thus worked out to ***72,410 voters*** on an average.

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Flashback: New Districts and a New Divide

Initially, there were only three districts in the Kashmir valley (Anantnag, Srinagar & Baramulla)l The Jammu region had six districts at that time. However, through a cabinet decision, three new districts of Pulwama, Kupwara and Baramulla were created bringing the number of districts in Kashmir on a par with Jammu.

At this juncture, however, no new district was created in the Jammu region leading to a lot of bad blood. This is the only time in the history of the state that three new districts were created, through an administrative order, and all the three districts were in one region of Kashmir only.

This fuelled feelings of alienation and discrimination in the Jammu and Ladakh regions against the Kashmiri ruling elite. This creation of additional districts in Kashmir brought the Valley on a par with the Jammu region in terms of number of districts. However, politicians in the Jammu region opposed the move, vociferously, demanding creation of additional districts in their region as well.

This led the government to appoint J N Wazir Commission which was given the task of making recommendations for creating additional districts. After a detailed study of the problem, the Wazir Commission recommended the creation of one additional district in Kashmt (taking the number to 6+ 7). For the Jammu region, the Commission recommended the creation of three additional districts (6+ 3=9).

The recommendations were never applied on ground and no new districts were created in either Jammu or Kashmir at that juncture. The appointment of the commission thus served the purpose of deflating the agitation in Jammu but the sense of

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hurt remained.

From time to time, thereafter, agitations erupted in the Jammu region, beginning with the Poonch agitation of 1979. Every time an issue agitated the public in Jammu, the demand for implementation of the Wazir Commission reports would be raised.

Finally, it was only during the tenure of the Congress-PDP coalition government that new districts were created in J&K. But this did not mean that the Wazir Commission recommendations were implemented in letter and spirit.

Incidentally, the implementation of the Wazir Commission recommendations had the backing of the Congress party and regional discrimination was mentioned as a cause of discontent in its 2002 Assembly manifesto.

The Common Minimum Programme (CMP) of the coalition government formed after the 2002 Assembly elections also pledged to get the recommendations implemented. This created an air of anticipation in the Jammu region when Ghulam Nabi Azad took charge as chief minister in November 2005.

Apparently to redeem his pledge and that of his party, Mr Azad created new districts, four each in Jammu and Kashmir regions.

The Wazir Commission had recommended the creation of only one new district in Kashmir (where four were created) and three in Jammu (where four were created, instead),

Thus, even after the creation of new districts, the feeling of discrimination persisted among the people of Jammu. Not that the people in Kashmir feel any better when the issue of relationship vis a vis India has to be defined.

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It is a common refrain to hear in the Kashmir valley that India has been less than fair to Kashmir. In this context, it is pertinent to point out here that the word Kashmir is being used here as a shorthand for Jammu and Kashmir (entire J&K), not just the Kashmir valley.

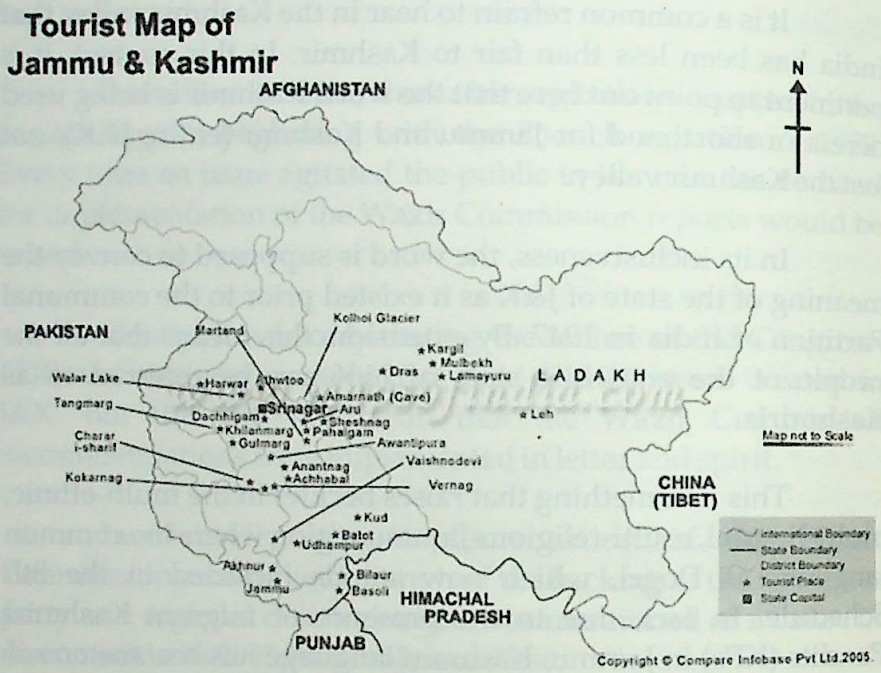
In its inclusiveness, the word is supposed to convey the meaning of the state of J&K as it existed prior to the communal Partition of India in 1947. By extension, this means that all the people of the erstwhile state of J&K can be referred to as **Kashmiris.**

This is something that raises heckles in the multi-ethnic, multi-lingual, multi-religious Jammu region where the common language is Dogri, which now stands included in the 8th Schedule. In fact, due to the presence of migrant Kashmiri Pandits (KPs) in Jammu, Kashmiri language has become one of the most commonly used language in Jammu also. Yet, a Dogra would never like to be called a Kashmiri and vice versa. To be calling the people of the Ladakh region as **Kashmiris** again is wholly **inaccurate and completely inappropriate**.

A Linguistic Map of Jammu and Kashmir

(from Warikoo, Kulbhushan, Language and Politics in Jammu and Kashmir: Issues and Perspectives, Excerpts from:Jammu, Kashmir & Ladakh - Linguistic Predicament, Edited by: P. N. Pushp and K. Warikoo, Himalayan Research and Cultural Foundation, Har-Anand Publications downloadable from http://www.koausa.org/Languages/Warikoo.html)

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Jammu, Kashmir & Ladakh Ethno-Linguistic Areas
Legend (Top to bottom): Kishtwari/Poguli, Kashmiri, Dogri, Gojri, Ladakhi, Balti, Dardi/Shina, Burshaski, Punjabi/Lahenda/Pothawari, Rambani/ Bhaderwahi/Siraji, Kashmiri/Gujari/Pahari

As this linguistic map clearly shows, the spread of the Kashmiri is actually restricted to a very small area of the state. Even in the Valley, Pahari and Gojri are widely spoken though these people also pick up Kashmiri as a second language.

The feeling of the divide is not only skin deep as the three main regions of the state, viz Jammu, Kashmir and Ladakh are so distinctly different from one another. In every sense of the word, be it ethnically, culturally, linguistically and at the level of religion.

The people of the three regions of J, K and L, therefore, do not follow one another as naturally as the three letters do, in

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English alphabet.

The demand raised on the streets of Kashmir is often about **Azadi** but the word has several meanings and connotations. Ask the meaning of this word to different people and the answer is likely to be different, depending upon whether the person subscribes to separatist politics or owes allegiance to one of the mainstream parties. But given the amplification of these views and stances, particularly in the national English,electronic and print media, there has been one important lexicographic development — separatism (i.e. Algav-vaad) has come to be equated with freedom i.e. **Azadi.**

This is regardless of how illiberal and undemocratic the agendas and actions of the proponents of **Azad/Algava-vad** may be.

The demand raised on the streets of the Jammu region, during the recent Amarnath land row, in the months of July and August 2008, was often about ending alleged **Kashmiri** hegemony.

In Ladakh, the demand articulated by various organizations is for the grant of Union Territory (UT) status. Of course, this demand has more appeal in the Buddhist-dominated Leh district than Shia-dominated Kargil, although there has been a discernible change in recent times. Asghar Ali Karbalai, the former chairman of the Kargil Hill Development Council had suggested that he was not averse to the idea of granting the status of Union Territory (UT) to Ladakh. **Dividing Ladakh into Buddhist-dominated Leh and Muslim-dominated Kargil seems to have given sufficient confidence to their leaders to unite!**

But the support for this demand was so overwhelming it? Leh that the Ladakh Union Territory Front (LUTF), a

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conglomeration of organizations supporting the UT demand, virtually vetoed the 2002 Assembly elections. The LUTF elected/selected two of their nominees to represent them in the State Assembly.

Only these two LUTF nominees filed their papers and were declared elected, unopposed. Nawang Rigzin Jora thus represented the Leh constituency and Sonam Wangchuk (Pintoo) Norbu the Nobra constituency of Leh district from October 2002 till July 10, 2008, when Governor's Rule was imposed in J&K.

Such was the stranglehold of the Ladakh Buddhist Association (LBA), which propped up the LUTF, that even National Conference (NC) leaders refused to file their nominations. Tsetan Namgyal of the NC was a Minister of State in the Farooq Abdullah ministry but chose to stay away from poll arena in 2002.

On a lighter note, one can say that it saved Election Commission of India (ECI) a lot of money, and trouble. Why? Because mobilizing resources to complete the poll process in the remote Leh district is a costly affair.

The year 2008 is a different ball game altogether as Nawang Rigzin Jora, formerly of the LUTF, has joined the Congress and his opponent is LUTF candidate Thupstan Chhewang. Mr Chhewang is presently a Member of Parliament affiliated to the Congress.

INTRODUCTION : The Regional Divide

In the year 2008, a total of 65, 37,821 voters are eligible to exercise their franchise during the Assembly elections in the State of Jammu and Kashmir. These include 33, 85,147 male and 31, 52,441 female voters.

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Together, these voters will elect 87 legislators or MLAs for the Legislative Assembly (the Lower House). Of these 87 legislators, Ladakh region will elect only four. On the other hand, the Kashmir region will get to elect 46 legislators and the Jammu region 37,

At the outset, it must be made clear that the comparative figures for the Ladakh region, both Kargil and Leh districts, are being deliberately left out for reasons outlined below. It must be borne in mind that uner-representation in the political sphere is not an issue of concern to Ladakh as it is for the Jammu.

The people of Ladakh may have their own grievances vis a vis the Kashmiri leadership as also the Central Government. But equitable, adequate and proportionate representation is not one of them.

The reasons for leaving out the electoral data pertaining to Ladakh will also be touched elsewhere.

The total number of voters in the Assembly elections in the year 2008, region wise, is **30,84,417 for the Jammu region,** and these voters will elect 37 MLAs at gaga apiece while the number of voters in the Kashmir region is 32,60,663 Where the people will get to elect 46 MLAS at 70,884 apiece.
Trying to make sense of this difference of 83,363-

70,884= 12,478 voters, per MLA, for the two regions, during the 2008 Assembly elections, is the purpose of this book. We don't have clear answers, officially or unofficially yet but the issue is worth examining.

Why is it that the number of voters per constituency is higher in Jammu than in Kashmir?

Why is it that ***Jammu has 37 MLAs*** and the ***Kashmir valley 46***?

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Doda District	
Doda	72,847
Bhaderwah	94,713
Total	1,67,020
Average = 83,510	

Poonch District	
Surankote	84976
Mendhar	78500
Poonch-Haveli	97090
Total	2,59,580
Average = 86,526	

Rajouri District	
Nowshera	84,657
Darhal	88,186
Rajouri	1,05,271
Kalakote	75,343
Total	353,456
Average = 88,364	

Anantnag District	
Anantnag	75,000
Dooru	61,824
Kokernag	69,604
Shangus	70,159
Bijebehera	75,518
Pahalgam	68,429
Total	4,20,534
Average = 70,089	

Baramulla District	
Uri	65,476
Rafiabad	70,256
Sopore	76,779
Sangrama	58,492
Baramulla	73,587
Gulmarg	70,378
Pattan	78,907
Total	518,215
Average = 74,030	

Kupwara District	
Karnah	26,591
Kupwara	90,594
Lolab	85,474
Handwara	78,118
Langate	60,227
Total	3,41,004
Average = 68,200	

Kathua District	
Bani	37,197
Basohli	67,391
Kathua	110,542
Billawar	88,148
Hiranagar	99,469
Total	4,02,787
Average = 80,557	

Udhampur District	
Udhampur	1,02,921
Chenani	79,222
Ram Nagar	99,309
Total	281452
Average = 93,817	

Budgam District	
Chadoora	73,021
Budgam	87,028
Beerwah	83,856
Khan Saheb	71,920
Charar-e-Sharif	68,089
Total	3,83,914
Average = 76,782	

Pulwama District	
Tral	73,944
Pampore	68,898
Pulwama	70,999
Rajpora	79,118
Total	2,92,959
Average = 73,239	

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Ramban District		Shopian District	
Ramban	77,400	Wachi	68,388
Banihal	70,483	Shopian	71,087
Total	1,47,883	Total	1,39,475
Average = 73,941		***Average = 69,737***	
Reasi District		**Bandipora District**	
Gulab Garh	59,625	Gurez	15,330
Reasi	97,080	Bandipora	86306
Gool Arnas	55,537	Sonawari	84,772
Total	2,12,242	Total	186,408
Average = 70,747		***Average = 62,136***	
Kishtwar District		**Ganderbal District**	
Kishtwar	70,218	Kangan	59,879
Inderwal	73,500	Ganderbal	77,616
Total	143,718	Total	137,495
Average = 71,859		***Average = 68,747***	

Why does the Jammu region thus have 46-37=9 fewer MLAs as compared to the Kashmir region?

What is the reason for Jammu having larger constituencies (voter wise), consistently, district after district, as compared to the Kashmir valley constituencies?

Is the Kashmir valley geographically bigger, than Jammu? No, it is not. The Jammu region covers an area of a little over 26,293 kilometers while the Kashmir valley is only 15,948 square kilometers.

This means that on an average, the constituencies in Jammu, area wise, also are bigger than the constituencies in Kashmir. In fact, when we calculate the average constituency sizes, for the Jammu and the Kashmir region, respectively, we find that the average constituency size in Jammu is more than double as compared to the constituencies in Kashmir.

Area wise, the size of the 46 constituencies in Kashmir is a little less than 348 square kilometer per constituency (divide the entire area of Kashmir with the number of constituencies) while as in the Jammu region (divide area by number of

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constituencies), the average size of the 37 constituencies works out to almost 710 square kilometers per constituency.

Why is it that the constituencies in Jammu are bigger, as compared to the Kashmir constituencies, both in terms of number of voters per constituency as also in size (more than twice in area)?

Is a pattern discernible in all the statistical data pertaining to successive Assembly elections in J&K? Is it for the first time that the constituencies in the Jammu region arc bigger, both in terms of number of voters as also in size in 2008? Or was it that this pattern was visible even in earlier elections?

Is this difference (which seems unreasonable and unfair to Jammu) the reason for the Jammu leaders to allege discrimination?

Is the perception of having been wronged in the hands of their Kashmiri brethren rooted in these facts?

Can it be termed a disparity?

Or is it just an aberration that has creeped in over the years and can be corrected?

(Is there a need to correct it? If so, how can it be set right?

Sometimes, perceptions can create more dangerous situations than actual ground realities. The divide between the two geographical regions of Jammu and Kashmir is such that it is capable of leading to flare-ups, every now and then. The recent Amarnath land row is a case in point. There are so many questions that come to one's mind as one tries to make sense of the statistical data. Is it that the statistics are skewed? Or is it that the interested parties (read politicians of the respective regions)

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try to exploit the situation to their advantage, by dividing the people of the State of Jammu and Kashmir?

Let us go back to the year 2002 when the last Assembly elections took place in J&K last time. The number of voters then, in the **Jammu region was 31,06,114 and in the Kashmir region it was 28,84,842**. The Kashmir region then had fewer voters than the Jammu region. The difference in the number of voters was **31,06,114-28,84,842=2,21,272**

Therefore, it becomes clear that even with 2,21,272 **more voters** in 2002, the Jammu region could elect only 37 MLAs as against Kashmir valley's 46 MLAs, nine fewer, What explains this? All one can say is that the distribution of voters or the delimitation of the assembly constituencies is done in such a manner. **With 2,21,272 more voters, how did Jammu elect a lesser number of MLAs, nine MLAs lesser than Kashmir?**

By way of number of voters per constituency, the average size of a constituency in Jammu (in 2002 Assembly elections) was 31,06,114/37= 83,949, In the Kashmir valley, the average size of a constituency then was 28,84,842/46= 62,713.

The average constituency size in the Kashmir valley was thus smaller than Jammu even during the 2002 Assembly elections. The difference in the constituency size, in terms of number of voters per constituency, was thus 83,949-62,713= 21,236. This means that the constituencies of the Jammu region, on an average, had 21,236 more votes per constituency as compared to those of the Kashmir region.

What happened during the 1996 Assembly elections? Was there a similar situation even then? Was the number of voters, per constituency, in the Jammu region larger even than as compared to the constituencies of the Kashmir region?

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A cursory glance at the statistical data makes it clear that indeed even then the number of voters per constituency in Jammu was higher than the constituencies in Kashmir.
During the 1996 Assembly elections, the number of voters in the Jammu region was 22,40,951 and in the Kashmir region, it was higher and pegged at 23,72,012. The Jammu region thus had **23,72,012-22,40,951=1,31,061 voters less.**

For calculating the average constituency size in the respective regions, we can again take recourse to simple mathematical calculations. The average size of a constituency in the Jammu region was 22,40,951/37= 60,566. Therefore, the average number of voters in Jammu constituencies was 30,566 per constituency.

In the Kashmir region, the number of voters per constituencies was 23,72,012/46= 51,565. Thus, the average number of voters in Kashmir constituencies was 51 ,565 per constituency.

Again, this means that the constituencies of the Jammu region, on an average, had more voters than the constituencies in the Kashmir region in 1996 as well. The difference can be calculated by subtracting one from the other. Thus, 60,566-51,565=9,001.

This means that the constituencies in the Jammu region had, on an average, at least 9,001 more voters as compared to the constituencies in the Kashmir region during the 1996 Assembly elections.

Let us now collectively compare the average constituency sizes of Jammu and Kashmir regions, over three successive Assembly elections, for the year 2008, for the year 2002 and for the year 1996.

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During the 2008 Assembly elections, the average size of the constituencies in the Jammu region is 83,362 voters per constituency. For the Kashmir region, the average number of voters per constituency is 70,884 per constituency. The constituencies of the Jammu region have 12,478 more voters per constituency than the constituencies of the Kashmir region.

During the 2002 Assembly elections, the average size of the constituencies in the Jammu region was 83,949 Voters per constituency. For the Kashmir region, the average number of voters 62,713 voters per constituency, The Jammu constituencies were, therefore had, on an average, 21,236 more votes per constituency as compared to those of the Kashmir region.

During the 1996 Assembly elections, the average size of the constituencies in the Jammu region was 60,556 per constituency. For the Kashmir region, the average number of voters was 51,565 voters per constituency On an average, therefore, the constituencies in the Jammu region had 9,001 more voters per constituency than the constituencies of the Kashmir region,

Coming back to the 2008 Assembly elections the number of voters in Jammu region has been given as 30, 84,417. It may look surprising but it is true that the number of voters in the Jammu region has declined, in absolute terms over the last six years from 31 The decline is therefore of a total of 31,06, 114-30,84,417=21,697.

Not a very large decline but what can explain this. Apparently the deaths of voters between two successive Assembly elections of 2002 and 2008 can be one reason and it is, without a doubt. Hundreds, or thousands of people, would have died in the region between 2002 and 2008. Their names would thus have to be deleted from the **Electoral Rolls (ERs)**,

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The bogus voters are a menace in many areas, all across the state and the deletion of names of these voters is something that takes place, every now and then. The decline in the number of voters can thus be explained partially by this factor also.

On the other hand, however, the number of youths who became adults, officially, and gained the right to vote, has alsoincreased during these years. These youths then constitute the new voters who have gained the right to vote, after 2002, and constitute the new voters in 2008 Assembly elections.

Since the number of voters in the Jammu region, in absolute terms, has declined between 2002 and 2008, it means that the number of new voters added to the Electoral Rolls (ERs) has failed to make up for the numbers that comprise the number of voters who died and the number of bogus voters detected by the election department of the State.

On the other hand, between 2002 and 2008, the number of voters has risen in the Kashmir region, From 28,84,842 in 2002, the number of voters has now touched 32,60,663. The increase in number of voters in the Valley, over six years, has thus been 32,60,663-28,84,842=3,75,821

This means that between 2002 and 2008, the number of voters in the Kashmir region has gone up by 3,75,821 while the number of voters in the Jammu region has gone down by 21,697.

The statistics pertaining to the Ladakh region have not been touched, on purpose and are just mentioned in passing, deliberately. The division, at the regional level, is between the Jammu and the Kashmir provinces. They are the ones which have a relationship of deep divide, Us versus Them. This deep divide, has existed for the last several decades. Even earlier. For our comparative account, therefore, we have chosen the two geographical regions of Jammu and Kashmir.

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The two regions were at loggerheads during the recent Amarnath land row. The political leaderships of the two regions took diametrically opposite stances. There were allegations and counter-allegations.

Amid it all, doubts were expressed about the chances of holding elections. The polity became so polarized that holding of Assembly elections seemed steeply difficult.

Somehow, the elections are underway now in an atmosphere of acrimony with the regional divide intact.
There has been no reconciliation after the conflict. It will be very difficult to effect reconciliation in the near future.

It was over 25 years ago that this divide had manifested itself with such venom in 1983.

We have picked up comparative figures of Assembly Elections about to be held, those that were held in 2002 and even the 1996 elections in the State.

As you read on, you will find that the constituencies in the Jammu region have stayed bigger, consistently, over successive elections. The situation that prevails now was similar to the one that prevailed in 2002 Assembly elections as also during 1996.

The constituencies in the Jammu region, district after district, on an average, are bigger than those in the Kashmir Valley. The number of voters per constituency in the far-off and backward Rajouri, Poonch, Doda, Kishtwar and Ramban districts is far larger than Srinagar city constituencies.

For that matter, it is paradoxical that constituencies in backward district of Kupwara like Lolab and Kupwara (over 90,000) itself, have more voters than the Srinagar city

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constituencies like Sonawar (66,065 voters), Zadibal (66,800) and Habbakadal (51,391).

In the Jammu region, Out Of the 10 districts, the average size of constituencies in no less than seven is over 80,000

voters per constituency, with Udhampur having a per constituency average of 93,817 voters per constituency. In contrast, not a single district in the Kashmir valley (out of a total of 10, again) has an average constituency size of 80,000. The best average (by way of number of voters per constituency is that of Budgam with 76,782 voters per constituency.

The chart given hereunder gives a comparative account of all the districts of the Jammu and Kashmir regions, twice. The first portion helps compare Jammu against Srinagar (they are like district by way of both being the most developed areas in respective regions) and so on.

In the second part of the chart/table, the districts have been arranged by way of constituency size, in a descending order, with the district having the maximum number of voters per constituency on top.

Jammu vs Kashmir, Per Constituency voters, 2008 Polls

Comparable Districts, Jammu vs Srinagar etc				Difference
Jammu	85,762	Srinagar	69,658	**16,104**
Doda	83,510	Anantnag	70,089	**13,421**
Poonch	86,526	Baramulla	74,030	**12,496**
Rajouri	88,364	Kupwara	68,200	**20,164**
Kathua	80,557	Budgam	76,782	**3,775**
Udhampur	93,817	Pulwama	73,239	**20,578**
Samba	86,464	Kulgam	76,147	**10,317**
Ramban	73,941	Shopian	69,737	**4,204**
Reasi	70,747	Bandipora	62,136	**8,611**
Kishtwar	71,859	Ganderbal	68,747	**3,112**

Seven districts in Jammu region have segments averaging over 80,000 & Udhampur averages 93,817 apiece.

No district in Kashmir has an average of 80,000 per segment. On top is Budgam with 76,782 apiece.

The difference, per segment, between comparative districts, ranges from 8,611 to 17,035 voters.

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Ranked from most to least, voter-wise					**Difference**
Udhampur	93,817		Budgam	76,782	**17,035**
Rajouri	88,364		Kulgam	76,147	**12,217**
Poonch	86,526		Baramulla	74,030	**12,496**
Samba	86,464		Pulwama	73,239	**13,225**
Jammu	85,762		Anantnag	70,089	**15,673**
Doda	83,510		Shopian	69,737	**13,773**
Kathua	80,557		Srinagar	69,658	**10,899**
Ramban	73,941		Ganderbal	68,747	**5,194**
Kishtwar	71,859		Kupwara	68,200	**3,659**
Reasi	70,747		Bandipora	62,136	**8,611**

If we just compare the two districts of Jammu and Srinagar, where the winter and the summer capital of the state are located, electorally, this is what they look like.

In the Jammu district, the electorate comprises ***9,43,389 voters*** and they will choose 11 MLAs at ***85,762 apiece.***

In contrast, in the Srinagar district, there are ***5,57,265*** voters and they will get to choose eight MLAs at ***69,658*** apiece. The difference between the average size of the constituencies of the two districts, comparable in many ways, is thus ***85,762-69,658= 16,104*** (per constituency).

In percentage terms, this works out to almost 23 per cent, voterwise. This means that the constituencies of the Jammu district are ***23 per cent bigger, voterwise***, as compared to the constituencies of the Srinagar district. The table below illustrates the point above.

District	Electorate	Constituencies	Average
Jammu	**9,43,389**	**11**	**85,762**
Srinagar	**5,57,265**	**8**	**69,658**

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The two districts, compared head to head, constituencywise, again bring out these facts clearly. The table below compares the 10 constituencies of the Jammu district against the eight constituencies of the Srinagar district.

Comparision of Assembly Segments, 2008 Poll Data					
Jammu	Voters	**Srinagar**	Voters	Difference	%age
Gandhi Nagar	152,100	Batmaloo	102,759	49,341	*48*
Jammu West	145,549	Hazratbal	82,675	62,874	*76*
Raipur Domana	90,520	Amirakadal	75,488	15,032	*20*
Bishnah	83,936	Zadibal	66,800	17,136	*26*
Akhnoor	83,296	Sonawar	66,065	17,231	*26*
R S Pura (SC)	75,646	Idgah	58,245	17,401	*30*
Chhamb (SC)	68,499	Khanyar	53,842	14,657	*27*
Marh	66,313	Habbakadal	51,391	14,922	*29*
Nagrota	64,320				
Suchetgarh	58,238				
Jammu East	55,062				
Total	**9,43,389**	**Total**	**5,57,265**		
AVERAGE	**85,762**	**AVERAGE**	**69,658**	**16,104**	

A DICE LOADED : 2008 POLLS

Elections in Jammu & Kashmir have always drawn attention to themselves, often for the wrong reasons. More so since 1990 when militancy blew up into the face of the Indian establishment that year,

Lakhs of Kashmiri Pandits (KPs) rushed out of the Kashmir valley, fearing for their lives as the armed cadres of Jammu and Kashmir Liberation Front (JKLF) led by Yasin Malik held sway. Some years later, in 1994, JKLF decided to give up violence as a political tool and has already announced officially that it will pursue its goal using peaceful means of protest.

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Of course, the JKLF is not the only Kashmir-based political organization which resorted to violent means for its political ends.

The Kashmiri Pandits had to migrate, en masse, due to the fear psychosis that built up in the Valley after breakout of large scale violence. Leaders of the migrant KP community have termed their large scale migration variously as **ethnic cleansing, communal cleansing and holocaust.**

It is, however, pertinent to point out here that thousands of Kashmiri Muslims also had to migrate from the Kashmir valley after 1990 due to fear of violence. They bought land in the Jammu region, mainly in the periphery of the Jammu city itself, and these constructions have now become their second homes. In fact, nowadays many of these Kashmiri Muslims spend more time in a year in Jammu and outside in the heartland of India, due to a variety of factors, than they do in the Kashmir valley.

The migrant KPs have been living in camps, for almost two decades now. Successive governments have promised to create conditions for their return to the Kashmir valley. While contesting the 1996 elections, and even after taking oath as chief minister, National Conference leader patron Farooq Abdullah had promised to work for the return of the KPs to their homes and hearths.

Later, in the year 2002, again, during the assembly elections, the NC included the return of KP migrants to the Valley as a top priority in its agenda. Creating conditions for the return of the KPs to Kashmir thus remains, till date, the officially stated position of the NC.

Not that Peoples Democratic Party (PDP) of Mufti Mohammed Sayeed did not say the same while contesting the 2002 assembly elections in J&K.

The Congress manifesto of the 2002 assembly elections

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also mentioned the need for creating conditions for the return of KP migrants. Of course, now a township is being created for the migrant KPs on the outskirts of the Jammu city, near Nagrota, in Jagti village. However, that cannot be deemed a step for their return to the Kashmir valley.

To ameliorate the condition of the KPs, who had virtually become refugees in their own country, the government took steps by way of granting concessions. The KP migrants have been recipients of concessions. The youths of this diaspora community have thus been enrolled in medicine, engineering and other professional courses in several states.

In professional academic institutions of Karnataka, Maharashtra and some other states, the migrant KP students get the benefit of reservations.

In contrast, the migrant Kashmiri Muslims have not beenable to benefit, in an equitable manner, from such largesse doled out to the KPs by various state governments and even the Centre.

This disadvantage has stayed with large parts of the Kashmiri Muslim migrants, both within the state of Jammu and Kashmir and beyond.

That is another story altogether.

Coming back to the topic of successive elections in J&K, the separatist organizations like JKLF and several others, who owe allegiance to the All Parties Hurriyat Conference (APHC), say that they do not believe in electoral politics. They say that the Kashmir problem can be solved only through a tripartite dialogue involving India, Pakistan and representatives of Kashmir.

In most parts of the Jammu province, on the other hand, the voter participation is significantly higher in the polling

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process. In fact, it may look paradoxical but the percentage of voting in the rural areas of Poonch, Rajouri and Doda has often been higher than the Jammu city constituencies or even the semi-urban constituencies in its neighbourhood.

In the Jammu region, there are 37 assembly constituencies and these can broadly be divided, on the basis of number of voters, as follows:

a. Five assembly constituencies of Jammu province have more than 1,00,000 electors.

b. Six assembly constituencies have more than 90,000 electors

c. Six assembly constituencies have more than 80,000 electors

d. 12 assembly constituencies have more than 70,000 electors

e. Four assembly constituencies have more than 60,000 electors

f. Remaining four constituencies have less than 60,000 electors

In contrast, the 46 assembly constituencies of Kashmir province can be broadly classified as follows:

a. One assembly constituency has more than 1,00,000 electors

b. One assembly constituency has more than 90,000 electors

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c. Nine assembly constituencies have more than 80,000 electors

d. In all, 16 assembly constituencies have more than 70,000 electors

e. A dozen assembly constituencies have more than 60,000 electors

f. Remaining SEVEN assembly constituencies have less than 60,000 electors

For the coming Assembly elections, a comparative study, in the form of various charts, giving the number of electors, constituency-wise, for both Jammu and Kashmir regions, has been done.

Comparison of segments, 2008 , 1 to 46

Jammu Region		Kashmir Region		Difference
Suchetgarh	58,238	Sonawar	66,065	-7,827
Gool Arnas	55,537	Homeshalibug	65,657	-10,120
Jammu East	55,062	Uri	65,476	-10,414
Bani	37,197	Dooru	61,824	
		Noorabad	61,136	
		Langate	60,227	
		Kangan	59,879	
		Sangrama	58,492	
		Idgah	58,245	
		Khanyar	53,842	
		Habbakadal	51,391	
		Karnah	26591	
		Gurez	15330	

Here is another way the constituencies have been compared, head to head - beginning with the placement of the smallest constituency in the Jammu region against the similarly ranked constituency in the Kashmir region.

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Comparison of Segments, Ascending Order (Small to big), 2008

Jammu Region		Kashmir Region		Difference
Bani	37,197	Gurez	15330	**21,867**
Jammu East	55,062	Karnah	26591	**28,471**
Gool Arnas	55,537	Habbakadal	51,391	**4,146**
Suchetgarh	58,238	Khanyar	53,842	**4,396**
Gulab Garh	59,625	Idgah	58,245	**1,380**
Nagrota	64,320	Sangrama	58,492	**5,828**
Marh	66,313	Kangan	59,879	**6,434**
Basohli	67,391	Langate	60,227	**7,164**
Chhamb (SC)	68,499	Noorabad	61,136	**7,363**
Kishtwar	70,218	Dooru	61,824	**8,394**
Banihal	70,483	Uri	65,476	**5,007**
Doda	72,847	Homeshalibug	65,657	**7,190**
Inderwal	73,500	Sonawar	66,065	**7,435**

Jammu Region		Kashmir Region		Difference
Samba	74,863	Zadibal	66,800	8,063
Kalakote	75,343	Charar-e Sharif	68,089	7,254
R S Pura (SC)	75,646	Wachi	68,388	7,258
Ramban	77,400	Pahalgam	68,429	8,971
Mendhar	78,500	Pampore	65,898	9,602
Chenani	79,222	Kokernag	69,604	9,618
Akhnoor	83,296	Shangus	70,159	13,137
Bishnah	83,936	Rafiabad	70,256	13,680
Nowshera	84,657	Gulmarg	70,378	14,279
Surankote	84,976	Pulwama	70,999	13,977
Billawar	88,148	Shopian	71,087	17,061
Darhal	88,186	Khan Saheb	71,920	16,266
Raipur Domana	90,520	Chadoora	73,021	17,499
Bhaderwah	94,713	Baramulla	73,587	21,126
Reasi	97,080	Tral	73,944	23,136
Poonch-Haveli	97,090	Anantnag	75,000	22,090
Vijaypur	98,066	Amirakadal	75,488	22,578
Ram Nagar	99,309	Bijebehera	75,518	23,791
Hiranagar	99,469	Devsar	76,147	23,322
Udhampur	102921	Sopore	76,779	26,142
Rajouri	105,271	Ganderbal	77,616	27,655
Kathua	110,542	Handwara	78,118	32,424
Jammu West	145549	Pattan	78,907	66,642
Gandhi Nagar	152100	Rajpora	79,118	72,982
		Kulgam	80,793	
		Hazratbal	82,675	
		Beerwah	83,856	
		Sonawari	84,772	
		Lolab	85,474	
		Bnadipora	86,306	
		Budgam	87,028	
		Kupwara	90,594	
		Batmaloo	1,02,759	

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NO ELECTION COMMISSION

There was no jurisdiction of Election Commission of India. Certain handpicked officer was entrusted for the task. It was only in late sixties after great struggle the jurisdiction of Election Commission of India was extended to this State. For first time in 1972, the State Assembly Elections were held under some supervision of the Election Commission of India and there came to an end of the unopposed victories of the ruling NC's / Congress Legislators.

Even after the extension of jurisdiction of the Election Commission no proper delimitation was never conducted. However with this change of the system of the Election of the LOK SABHA members began earlier, the members to LOK SABHA and that of RAJYA SABHA were picked up in their choice by the ruling leaders to find place in the Parliament.

OPPOSITION TO REGIONAL BIAS

Pt. Prem Nath Dogra was opposed to any kind of discrimination. It may be on regional or communal basis. He was of the view that this could lead to tensions and endanger the unity of the people as also that of the State Itself. But his voice was dubbed as communal, both by the National Conference and Congress. But interestingly Congress leaders of Jammu and that of Kashmir had been talking in different tones in different areas and regions whereas the NC tried to exploit communal sentiments.

Interestingly, when they opposed each other, the Congress had been accusing the NC leaders as dubious but still by and large sailing on the same boat to share the loaves and fishes of the power. Jammu as also Ladakh had been on the receiving end. Jammuites preferred to suffer but for the unity of the State and that of the national interests. But the big question is

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still there for how long.

Scheduled Tribes Deprived

While the scheduled caste were derived any reservations in the valley of Kashmir right from 1951 elections, the Scheduled Tribes got the status in 1991, during the Janta Party at the centre . But the State govt. evaded the political reservation on the plea that matter would be taken into account after the census of 2001. But when the census of 2001 was still in progress, the Farooq led National Conference Govt. of J&K amended the Constitution envisaging that there would be no delitation up to 2026. And thus the doors were closed for the desired political reservation for the ST at least up to 2026 or even on ward 1931.

It is pertinent to note that in the Antonomy Report framed by the NC Govt. had even asked for end of reservation to SC/ST. however, this report was rejected by the Sh. Vajpayee led Govt. at the centre. Earlier there were reports that Sheikh Mohd Abdullah had been asking the Gujjar leaders that they should not draw lines amongst the Muslims.

DISCRIMINATION IN HOUSING

Various state Governments, both of the NC's and Congress had been too clever to perpetrate discriminatory approach with a design.

In this regard it was significant that in the new housing colonies of Jammu , the Government leader allotted large number of Housing land plots to many Kashmiri Officers and Politicians at cheep rates but there was hardly anyone from Jammu who was allotted such a plot to Officials or even Politicians in the Housing Colonies of Kashmir .

In what manner the Housing land plots were allotted, in this regard an order about cancellation of such allotments by

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the Governor Shri Jagmohan makes an interesting reading:

Order of the Governor:
Action against Corruption

The Bourbon of the National Conference and the Congress (I) were so insensitive to public feelings that they indulged in corrupt deeds unashamedly. They did not realise that the revulsion of the masses to corruption was strengthening the forces of subversion and terrorism.

The improprieties that were being committed could be seen from the case of allotment of seventy-four plots to the Minister and Members of the Legislative Assembly and legislative Council. The allottees included Dr. Farooq Abdullah, younger brother and Minister, Dr. Mustaffa Kamal, Development Minister, Attaullah Suhrawardhy, Finance Minister, Abdul Rahim Rather, ex-Revenue Minister and Member of Parliament P.L. Handoo and Congress (I) Cabinet Ministers Mangat Ram Sharma, Ghulam Rasool Kar, Moulvi Iftikhar Hussain Ansari etc. The case strongly supported the widely held view that the National Conference (F)-Congress (I) Ministry had merely joined hands to feather their own nests.

I reproduce below my orders o February 23, 1990, which speaks for itself:

"Subject: Allotment of seventy-four (74) plots to Ministers and MLA/MLCs in Roop Nagar Housing Colony.

I am dismayed to see this case. It shows how self-serving certain sections of the power structure have become. Almost all the MLA/MLCs, including the Ministers, have decided to give unto themselves a plot each. And that, too, in a manner which shows no respect for fundamental principles of public administration and justice.

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The plots were meant for auction. By one stroke, they were taken out of auction by the Ministers for allotting these plots to themselves as well as to those (MLA/MLCs) whose duty it was to act as a watch dog of the public interest.

There is no resolution of the Jammu Development Authority, changing its decision to auction the plots in question. The statutory provisions of Jammu and Kashmir Development Act have been flouted.

I understand that the 'agreements" have also been executed with a speed wholly alien to the erstwhile regime. During the last week, I have come across a number of cases in which salaries have not been paid to the employees for the last 10 months. The cases of Sopore College and Sopore School are relevant in this regard. Likewise, the employees of the Notified Area Committees have not been paid. Only yesterday I had met a widow whose husband was killed in terrorist violence in December. She is still knocking the door from one office to another without getting even an iota of relief. In this case, however, decision was taken with unprecedented speed, allotment orders securing obtained and agreements executed after concessional method of payment of money.

After considering all aspects of the case, including the mala fide nature of the transaction, I have come to the Conclusion that it would be in the public interest to rescind the Order which in any case was ab initio void. I therefore, Order that allotments should be cancelled and all concerned informed individually and amounts collected refunded.

The case not only involves question of legality and impropriety but also mental attitude of those exercising power. Talking about the Municipal Councillors, Gandhi Ji once said that they should work as unpaid scavengers and road cleaners. This was the motivation which he wanted the people's

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representatives to possess. And what motivation does this case show".

The order had a salutary effect. The common Kashmiri and the common Jammuite were happy that justice was being done and the State resources which had been concerned by oligarch would now be available for development and welfare activities. In this case, an indirect subsidy of at least Rs. 3 Lakhs, at the State expenses, would have been available to each of the allottees. Since the total of allottees was seventy-four, the state would have been deprived of over Rs,2 crores.

The exasperation of the people over corruption could be gauged from the editorial* comments in all the local dailies. As an illustration, I would cite one such comment. It read:

There has been general appreciation of the prompt action of Governor Jagmohan in rescinding the order allotting 74 plots to former ministers and legislators. The plots were allotted by the erstwhile Farooq ministry in most arbitrary and irregular manner just before it went out of office. The allottees who were aware of the fishy nature of the allotment got these registered in their names in hush hush manner using their political influence. The Chief Minister who himself was one of the beneficiaries of this open loot managed to secure the certificate of permanent residentship which he did not possess, having lost the citizenship right after he acquired the citizenship of United Kingdom, from the district magistrate in violation of all norms and in most irregular manner. In fact, majority of the allottees were not even residents of Jammu and as such not entitled to have any plots. Already the Farooq Government had misused its power in sanctioning loans worth several lakhs for construction of houses or purchase of cars to each of the legislator. In most cases, the amount was neither spent on constructing houses nor on the purchase of cars.

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The revelation about the allotment of these plots to the ministers and legislators in violation of norms and rules only highlights the stinking affairs of the coalition ministry which had set new records in corruption, nepotism and other acts of misuse of power. What has been revealed is not even the tip of the iceberg."

Here it may not be out of place to invite attention to the case of Saif-ud-Din Soz, M.P. On the face of it, the matter may look trivial. But, in the larger context, it explains one of the reasons of the trade of the National Conference and Congress (I) leaders against me. My drive against corruption, which was needed for winning the goodwill of the people and blunting their sense of alienation, involved clashing with deep-rooted vested interests of the elites and the oligarchs who retaliated.

Like the Chief Minister and Ministers, Soz also got a plot allotted in Roop Nagar colony. But he was not contented it. He wanted the allotment to be changed to the still more lucrative colony of Gandhi Nagar. At this stage, I took over charge and the file was put up to me. I rejected Soz's request. I also raised the question as to how plots had been allotted to the political elites, as the usual policy all over the country was to make allotments, at fixed rates only to individuals falling in or middle income groups and that, too, on the basis of the draw of lots. It may also be noted that grant of Soz's application would have conferred upon him a monetary gain of five to seven lakhs.

I intended to drive home the advantage of the favourable atmosphere created by the dissolution of the Assembly and commencement of action against corruption in high places. I gave a brief idea of my thinking to the people on TV and a radio broadcast on February 18, 1990. I assured them full justice and said.

"Trade and industry is suffering. Poor shopkeepers and

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weaker sections are particularly hard hit. The State is receiving bad publicity for the coming tourist season. Already the financial position of the State is precarious. Large funds have been squandered and malpractices are writ large in innumerable cases. I am making every effort to defaulters accountable, and every- make the defaulters accountable, and keep every single paisa for allocating for development. I have ordered special audit in a number of departments.

I remind you that the Indian Constitution guarantees justice—-social, political and economic. I promise you this justice both in letter and spirit. 1 requests you to help me in creating conditions in which I will give practical shape to my promise.

Already in a short span of three weeks or so, 7,000 posts in BSF, posts of teachers, 4,300 posts of Home Guards and hundreds of other posts have been created and are being filled through an independent Selection Board. The administrative machinery has been put on the rail. Two separate Commissioners have been created for Baramulla and Anantnag and civil supplies and communication restored. We have already drawn a blueprint of reforms, reorganisation and for implementation of welfare and development programmes. Let us join hands to ensure that all these programmes are speedily implemented and let us create a situation in which no policeman is seen on the streets and they remain full of tourists and happy people.

For the last several days, there has been no day curfew, but it appears that some elements are intentionally creating trouble to frustrate efforts of all law abiding citizen attain peace. Let us not be taken in by these elements.

It was noted that after securing power in 1996, Dr Farooq Abdullah again played his game and not only restored the cancelled allotments but also provided soft loans to such allottees.

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TOURISM AND OTHER SPHERE

There is hardly any other sphere of life where there was no deliberate discrimination Jammu region is full of bounties of the nature. But the development of such places were neglected but for to attract tourists to the valley alone.

After the outbreak of armed militancy in the valley, the tourist traffic was badly affected. The tourists opted the peaceful area of adjoining Himachal. If Jammu area were developed the visitors naturally come to those places but for narrow and parochial approach of the ruling NC's Congress leaders over the decades.

Pt. Prem Nath Dogra had been warning against this lop-sided development.

Similarly, in other fields there was step motherly treatment resulting in tensions.

Jammuites had been also voicing their annoyance that while this region contributes about seventy percent to the state Revenue from internal resources but the expenditure is hardly about thirty percent. TOURISM AND OTHER SPHERE

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DISCRIMINATION EVEN IN FOOD

There was hardly any aspect of life where in Jammu was not extended step motherly treatment.

The rationing system in J&K was old one. This was started in 1944 in Maharaja's time after a big agitation in Jammu. In this agitation nine persons were killed. But this system took political turn in 1952-53, when Sheikh Mohd Abdullah made certain controversial statements against having Indian food grains. After the down fall of the Sheikh, his detractors of the sheikh started the supplies of rice at dam cheap rate i.e. 33 paisa per Seir (900 grams). But the same rice were supplied at for higher rate and less scale to Jammuites.

After protesting against this regional discrimination the PP/BJS led by Pt. Prem Nath Dogra had an agitation on several issues including the food matters.

In 1968, the Gagandergater Commission in his report indicting the discriminatory policies had recommended that the rates and scale should be the same in all the regions.

It is a lengthy story notwithstanding the recommendations of the Commission the various dispensations since then had been fair and unfair in Jammu.

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COMPARISON OF JAMMU & KASHMIR DISTRICTS: WHAT IF...?

The discussion below are a series of exercises at finding out what the state's electoral map would look like if the Jammu and Kashmir regions were to be treated similarly. The word similar is tricky. It could mean that Jammu would be treated like Kashmir is treated today. Or it could mean treating Kashmir as Jammu is being treated today. These combinations could go on.

For clarity and better understanding, actual data of districts has-been taken to show the dramatic changes that occur when the figures are flipped, changed, interchanged etc.

Exercise 1

Average constituency size of Rajouri, Poonch & Doda districts 825059

Average constituency size of Anantnag, Kupwara & Baramulla (Kashmir)= 60,451

Difference between constituency sizes in two sets of districts(Jammu) = 82,059-60,451 = 21 ,608.

This means that during the 2002 Assembly elections, the average number of voters in Rajouri, Poonch and Doda districts, per constituency, as compared to constituencies of Anantnag, Kupwara and Baramulla districts, was higher by 21 ,608.

Now, therefore:

The average higher number of voters per constituency in 13 segments of hilly districts of the Jammu region= 21 ,608

Let us assume, for drawing comparisons, that the distribution of voters in Rajouri, Poonch and Doda is made equal to Anantnag, Kupwara and Baramulla. This will mean that instead of 82,059 voters per constituency, the number of voters per constituency in these districts of the Jammu region would have been 60,451 per constituency (the same as in comparable Kashmir districts).

Obviously, in that condition, the total number of MLAs the

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people of Rajouri, Poonch and Doda districts would have elected goes up. Let us calculate how much will this rise in number of MLAs be.

Total Electorate in Rajouri, Poonch and Doda districts =10,66,771
Average constituency size in Anantnag, Kupwara and Baramulla = 60,451
Assuming that 60,451 voters get to elect an MLA in Rajouri, Doda and Poonch also, we can calculate the number of total MLAs also.
This means 10,66,771/60,451=17.64, rounded off to 18.
This means that the number of additional MLAs in the districts of Rajouri, Poonch and Doda would have been 18-13= 5.

Exercise 2

We have already found that all the 13 constituencies of Poonch, Rajouri and Doda have higher number of voters, on an average, than the constituencies of Anantnag, Kupwara and Baramulla.
Let us term this 36 per cent higher voters per constituency as ADDITIONAL VOTERS.

Average number of voters per constituency in Rajouri, Poonch & Doda= 82,059
Average number of voters in Anantnag, Kupwara & Baramulla= 60,451
Difference in average constituency size= 82,05960,451=21,608
The average difference per constituency of Poonch, Rajouri & Doda as compared to Anantnag, Kupwara and Baramulla= 21 ,608

Let us now assume that the number of voters per constituency in Anantnag, Kupwara and Baramulla was equal to those of the constituencies of Rajouri, Poonch and Doda districts.

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This would mean the constituencies of the districts of Anantnag, Kupwara and Baramulla become bigger and have the same number of voters as the constituencies of Rajouri, Poonch and Doda have. Instead of 60,451 per constituency, they too would have 82,059 voters per constituency.
Total Electorate in Anantnag, Kupwara and Baramulla= 11 ,51,281

Electorate per constituency in Rajouri, Poonch and Doda=82,059
Now, for the sake of comparison, we have assumed that the number of voters in Anantnag, Kupwara and Baramulla becomes the same as that of Rajouri, Poonch and Doda.
By dividing the total number of electorate in Anantnag, Kupwara and Baramulla with the average electorate size in Rajouri, Poonch and Doda= 11,51,281/82,059= 14.02, rounded off to 14.

Presently, the districts of Anantnag, Kupwara and Baramulla have 25 MLAs (at the rate of 60,451 voters per constituency). If the number of voters per constituencies in these districts becomes the same as that of Rajouri, Poonch and Doda, they will have only 14 MLAs.

If the number of voters in Rajouri, Poonch and Doda (Jammu districts), as also in Anantnag, Kupwara and Baramulla (Kashmir districts), were to be the same i.e. 82,059, the Kashmir districts would have elected only 14 MLAs, as against 25 MLAs at present (or as it was in 2002). The loss in terms of number of lesser MLAs would thus have been 25-14=11.

Jammu, Udhampur & Kathua etc
Similarly, let us compare the other three districts each of the two regions as under:

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Exercise 1

Jammu= Electorate of 11 ,51 ,263 and 13 constituenices.
Udhampur= Electorate of 4,94,653 and six constituencies.
Kathua= Electorate of 3,93,427 and five constituencies
Collective Average for Jammu, Udhampur & Kathua=1151263+494653+393427= 2039343/24= 84972.62, rounded off to 84,973.
Srinagar=7,24,103/10 , Budgam=3,15,421/5 & Pulwama= 3,36,045/6.

Average number of voters per constituency in Rajouri, Poonch & Doda= 82,059
Average number of voters in Anantnag, Kupwara & Baramulla= 60,451
Difference in average constituency size= 82,059-60,451= 21 ,608
The average difference per constituency of Poonch, Rajouri & Doda as compared to Anantnag, Kupwara and Baramulla= 21 ,608

Let us now assume that the number of voters per constituency in Anantnag, Kupwara and Baramulla was equal to those of the constituencies of Rajouri, Poonch and Doda districts.

T his would mean the constituencies of the districts of Anantnag, Kupwara and Baramulla become bigger and have the same number of voters as the constituencies of Rajouri, Poonch and Doda have. Instead of 60,451 per constituency, they too would have 82,059 voters per constituency.

Total Electorate in Anantnag, Kupwara and Baramulla= 11,51,281
Electorate per constituency in Rajouri, Poonch and Doda= 82,059
Now, for the sake of comparison, we have assumed that the number of voters in Anantnag, Kupwara and Baramulla

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Srinagar= 7,24,103/10 , Budgam= 3, 15,421/5 & Pulwama= 3,36,045/6.
Collective Average for Srinagar, Budgam & Pulwama= 7,24,103=3,15,421+3,93,427=14,32,951/21=68,235.76, rounded

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off to 68,236.
Total Electorate in Jammu, Udhampur & Kathua districts = 20,39,343
Total Electorate in Srinagar, Budgam & Pulwama districts = 14,32,951
Collective Average for 24 segments of Jammu, Udhampur & Kathua= 84,973
Collective Average for 21 segments of Srinagar, Budgam & Pulwama= 68,236
Difference in Average for Jammu and Kashmir region districts = 84,973-68,238=16,737

Suppose, the number of voters per constituency in Jammu, Udhampur & Kathuas were to be the same as Srinagar, Budgam and Pulwama. This means the number of legislators these Jammu region districts will get goes up.
This can be derived by 29.5, rounded off to 30. This will mean a gain of SIX constituencies for Jammu, Udhampur and Kathua districts.

Exercise 2

We have already found that all the 21 segements of Srinagar, Budgam and Pulwama have 14,32,951 voters which comes to 68,236 voters per constituency. On the other hand, the three districts of Jammu, Udhampur and Kathua have 20,39,343 voters at 84,973 voters per constituency.
Suppose, the constituencies of Srinagar, Budgam and Pulwama were, on an average, to have the same number of

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voters as Jammu, Udhampur and Kathua, the number of seats they would get would be **14,32,951/84,973= 16.8, rounded off to 17.**

This means that instead of **21 seats** (which they have presently), these districts would be able to elect only **17 MLAs and it would be a net loss of 4 for them.**

1996 Assembly Elections

When the 1996 Assembly elections were held after a prolonged spell of Central rule in the State, there were **22,40,951 voters in Jammu** and **23,72,012 voters in the Kashmir valley.**

The average size of the constituencies in the Jammu region was **60,566** and the Assembly segments in Kashmir, on (an average, comprised only **51,564** voters. Each constituency in Kashmir, on an average, thus had **9,001** lesser voters as compared to the constituencies in the Jammu region. In percentage terms, this was a difference of about **18 per cent.**

Comparative Chart, 1996 Assembly Polls Data

Jammu Region		**Kashmir Region**		
Constituencies	Electorate	Constituencies	Electorate	Difference
Jammu West	115286	Batmaloo	74601	***40685***
Gandhi Nagar	105598	Hazratbal	69222	***36376***
Kathua	75739	Kupwara	63,946	***11793***
Rajouri	79056	Sonawari	63750	***15306***
Udhampur	71726	Sopore	63312	***8414***
Reasi	70253	Amirakadal	56467	***13786***
Vijaypur	72988	Baramullah	52570	***20418***
Ramnagar	69,416	Beerwah	63,988	***5428***
Hiranagar	73,664	Lolab	61,017	***12647***
Poonch Haveli	72,786	Khanyar	59,696	***13090***
Bhaderwah	64,781	Bandipora	52,659	***12122***
Darhal	67,002	Gulmarg	57,683	***9319***
Nowshera	64,494	Idgah	55,837	***8657***
Jammu East	69,525	Anantnag	55,861	***13664***

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Jammu Region		Kashmir Region		
Constituencies	Electorate	Constituencies	Electorate	Difference
Kalakote	57,204	Pattan	59,555	-2351
Surankote	64,230	Ganderbal	49,558	14672
Akhnoor	58,747	Zadibal	48,887	9860
Bishnah	60,274	Budgam	58,029	2245
Billawar	59,629	Habbakadal	59,337	292
Mendhar	67,120	Kulgam	55,296	11824
R S Pura	53,841	Rajpora	52,993	848
Raipur Domana	53,442	Handwara	52,943	499
Samba	60,444	Devsar	51,332	9112
Chenani	51,379	Uri	48,928	2451
Kishtwar	52,016	Sonawar	51,675	341
Ramban	43,783	Rafiabad	47,233	-3450
Doda	47,956	Chrar-i-Sharif	52,975	-5019
Basohli	50,098	Bijbehara	64,626	-14528
Marh	48,697	Khan Sahib	51,700	-3003
Inderwal	48,070	Tral	53,830	-5760
Gulabgarh	43,126	Kokernag	56,661	-13535
Chhamb	50,448	Pahalgam	46,698	3750
Nagrota	45,196	Shopian	46,715	-1519
Suchetgarh	42,762	Shangus	47,310	-4548
Banihal	45,595	Pulwama	49,162	-3567
Gool Arnas	37,488	Dooru	46,244	-8756
Bani	27,092	Chadoora	42,812	-15720
		Noorabad	41327	
		Pampore	44742	
		Kangan	38836	
		Homeshalibug	42685	
		Wachi	45260	
		Langate	41440	
		Sangrama	36245	
		Karnah	26,469	
		Gurez	9900	
Total	2240951	Total	2372012	

The electorate in Jammu district comprised **8,37,248 voters over 13** constituencies. The average constituency size of the Jammu district thus worked out to **64,403.** In contrast, the total electorate in the Srinagar district was **5,64,116 and with 10** MLAs, the average constituency size was thus **56,411.**

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The difference per constituency size, voterwise, between the Jammu and the Srinagar district was thus **64,403-56,411= 7,992.** In percentage terms, the average constituency size of the Jammu district was almost 15 per cent larger than a constituency of the Srinagar district.

Two comparable districts, of the Jammu and Kashmir regions, thus had a per constituency difference of 15 per cent.

Comparison of Areas

In terms of area, regionwise, the Jammu province covers an area of approximately 26,000 square kilometers. In contrast, the area of the Kashmir province is only 16,000 square kilometer, approximately.

Comparative Account, Areawise

District, segments	Area	per segments	District, segments	Area	per segments
Doda, 6	11691	1948.58	Baramullah, 10	4588	459
Udhampur, 6	4550	758.33	Anantnag, 10	3984	398.4
Jammu, 13	3097	238.23	Kupwara, 5	2379	475.8
Kathua, 5	2691	538.2	Srinagar, 10	2228	222.8
Rajouri, 4	2630	657.5	2. Pulwama, 6	1398	233
Poonch, 3	1674	558	4. Budgum, 5	1371	274.2
Total	26333		Total	15948	
Jammu	3097	238	Srinagar	2228	222.8
Doda	11691	1948.5	Anantnag	3984	398.4
Poonch	1674	558	Baramullah	4588	459
Rajouri	2630	657.5	Kupwara	2379	475.8
Udhampur	4550	758.33	Pulwama	1398	233
Kathua	2691	538.2	Budgam	1371	274.2
Total	26333		Total	15,948	

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The calculations given in the chart above have been based on the status of districts as they existed prior to the creations of the four new districts a couple of years ago.

These calculations do not show the comparative areas of the newly created districts of both the regions.

Since Jammu region elects only **37 MLAs**, on an average an MLA represents an area of over **710 square kilometers.**

In contrast, the Kashmir region elects **46 MLAs** for an area of 16,000 square kilometers. This means the average size of a constituency in Kashir, areawise, is a little over **348 square kilometers.**

How do you reconcile the fact that the **average constituency size in the Jammu region is over 710 square kilometers and in case of Kashmir only 348 square kilometers,** less than half of the first?

A comparative account of the areas of the Jammu and Kashmir region, when represented as a bar chart, looks like this.

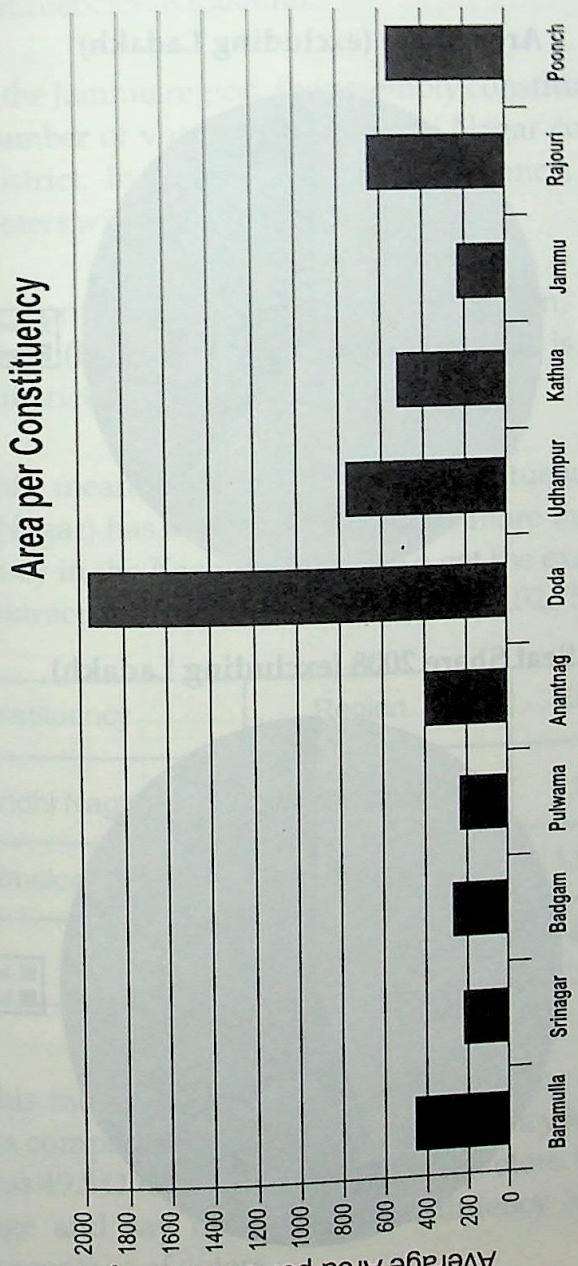
Fig 2. How Far does the Legislator Travel?

The actual area of a constituency represents the distances that a legislator has to travel to meet his voters. A small area represents a compact constituency where all other things remaining constant, the legislator and the people he represents can meet each other easily. However, when constituency size is almost 2,000 sq km as it is in Doda district then a legislator has to spend far more time meeting people of his constituency.

Thus a smaller constuency means that the people of

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that constituency are better represented. The chart below thus shows how well constituencies of the various districts are represented when it comes to geographical compactness

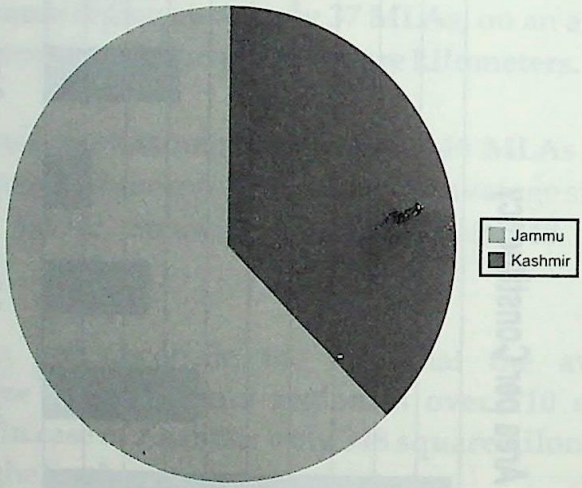


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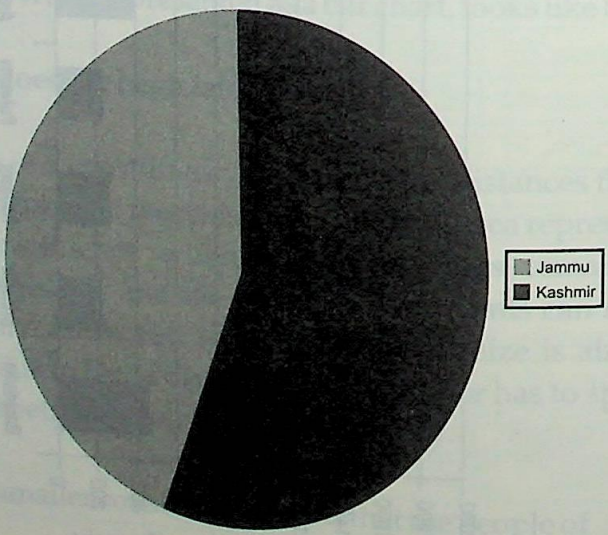
Table 1. How many voters send a representative? A comparison of of the Districts in 1996

Comparing Area share with Seat Share (excluding Ladakh)

Area Share (excluding Ladakh)



Seat Share 2008 (excluding Ladakh)



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THE LARGEST CONSTITUENCIES

When we compare the Jammu and Kashmir regions, we find that the average size of constituencies in Jammu is bigger i.e, these constituencies have larger number of voters as compared to the constituencies in Kashmir.

In the Jammu region, the assembly constituency with the highest number of voters is the Gandhi Nagar constituency of Jammu district. In Gandhi Nagar constituency, no less than 1,52,100 voters will elect an MLA.

In contrast, in the Kashmir region, the biggest constituency (by way of number of voters) is Batmaloo in Srinagar district having 1,02,759 voters.

This means that the largest constituency in Jammu (Gandhi Nagar) has almost 50,000 voters more than the largest constituency in the Kashmir region. To get the exact difference, we can subtract one from the other: 1,52,100-1,02,759= 49,341.

Constituency	Region	Election
Gandhi Nagar	Jammu	1,52,100
Batmaloo	Kashmir	1,02,759
	Difference	**49,341**

Again, this means that the largest constituency in the Jammu region, as compared to the largest constituency in the Kashmir region, has 49,341 more or ADDITIONAL voters. Convert it into percentage and say the Jammu constituency has this much higher percentage of voters.

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In Jammu province, there are seven constituencies with over one lakh voters as compared to only one constituency with over a lakh of voters in the Kashmir province.

When the assembly elections were held in the state last time, in September-October 2002, the largest constituency in the Jammu region was constituency number 73, Jammu West, having 1,63,689 voters.

In contrast, the largest constituency in the Kashmir region was constituency number 25, Batmaloo, of Srinagar city with 1,04,213 voters.

The difference in the number of voters in the largest constituencies of the two regions can be calculated by subtracting one figure from the other i.e. 1,63,689-1,04,213= 59,476. This means that the largest constituency of Jammu region (Jammu West) had 59,476 more voters than the largest constituency of the Kashmir region.

Constituency	Region	Election
Gandhi Nagar	Jammu	1,63,689
Batmaloo	Kashmir	1,04,213
	Difference	**59,476**

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Comparative Chart of Assembly Segments, 2002 (Big to Small)

Jammu Region		Kashmir Region		Difference
Jammu West	163689	Batmaloo	104213	59476
Gandhi Nagar	153334	Hazratbal	85,827	67507
Kathua	112359	Kupwara	80,536	31823
Rajouri	110458	Sonawari	78,299	32159
Udhampur	104642	Sopore	76,779	27863
Reasi	100222	Amirakadal	74,442	25780
Vijaypur	101046	Baramullah	73,274	27772
Ramnagar	97,787	Beerwah	72,976	24811
Hiranagar	95,173	Lolab	72,715	22458
Poonch Haveli	95,028	Khanyar	72,495	22533
Bhaderwah	91,478	Bandipora	70,963	20515
Darhal	90,353	Gulmarg	70,378	19975
Nowshera	88,099	Idgah	70,372	17727
Jammu East	87,332	Anantnag	69,815	17517
Kalakote	85,210	Pattan	69,803	15407
Surankote	83,113	Ganderbal	68,402	14711
Akhnoor	81,788	Zadibal	67,852	13936
Bishnah	81,424	Budgam	67,446	13978
Billawar	81,170	Habbakadal	66,782	14388
Mendhar	79,826	Kulgam	66,159	13667
R S Pura	77,388	Rajpora	64,829	12559
Raipur Domana	77,364	Handwara	64,056	13308
Samba	74,934	Devsar	63667	11267
Chenani	74,330	Uri	63,429	10901
Kishtwar	73,793	Sonawar	63,272	10521
Ramban	73,011	Rafiabad	62,942	10069
Doda	70,278	Chrar-i-Sharif	62,040	8238
Basohli	68,710	Bijbehara	61,322	7388
Marh	68,194	Khan Sahib	60,645	7549
Inderwal	66,987	Tral	59,555	7432
Gulabgarh	63,386	Kokernag	57,743	5643
Chhamb	63,294	Pahalgam	57,363	5931
Nagrota	62,238	Shopian	55,812	6426

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Jammu Region		Kashmir Region		Difference
Suchetgarh	59,238	Shanqus	54,319	**4919**
Banihal	59,137	Pulwama	54,107	**5030**
Gool Arnas	54,286	Dooru	53,974	**312**
Bani	36,015	Chadoora	52,315	**-16300**
		Noorabad	51,946	
		Pampore	51,688	
		Kangan	50,446	
		Homeshalibuq	50,635	
		Wachi	50,054	
		Langate	49,501	
		Sangrama	46,566	
		Karnah	28,948	
		Gurez	14,140	
Total	**3106114**	**Total**	**2,884,842**	

Figures of 1996:

Prior to that, when the assembly elections were held in the state in 1996, the largest constituency in the Jammu region was, once again, constituency number 73, Jammu West, having 1,15,286 voters.

In the Kashmir valley, the largest constituency was, likewise, constituency number 25, Batmaloo, with only 74,601 voters.

The difference in the number of voters in the largest constituency of Jammu and Kashmir region, in 1996, can be calculated by subtracting one figure from the other.

By doing so, you get **1,15,286-74,601= 40,685.** This means that the largest constituency of Jammu in 1996 had 40,685 voters more than the largest constituency of the Kashmir region.

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Constituency	Region	Election
Gandhi Nagar	Jammu	1,15,286
Batmaloo	Kashmir	74,601
	Difference	**40,685**

Jammu Division		Kashmir Division		Difference
Jammu West	115286	Batmaloo	74601	**40685**
Gandhi Nagar	105598	Hazratbal	69222	**36376**
Kathua	75739	Kupwara	63,946	**11793**
Rajouri	79056	Sonawari	63750	**15306**
Udhampur	71726	Sopore	63312	**8414**
Reasi	70253	Amirakadal	56467	**13786**
Vijaypur	72988	Baramullah	52570	**20418**
Ramnagar	69,416	Beerwah	63,988	**5428**
Hiranagar	73,664	Lolab	61,017	**12647**
Poonch Haveli	72,786	Khanyar	59,696	**13090**
Bhaderwah	64,781	Bandipora	52,659	**12122**
Darhal	67,002	Gulmarg	57,683	**9319**
Nowshera	64,494	Idqah	55,837	**8657**
Jammu East	69,525	Anantnag	55,861	**13664**
Kalakote	57,204	Pattan	59,555	**2351**
Surankote	64,230	Ganderbal	49,558	**14672**
Akhnoor	58,747	Zadibal	48,887	**9860**
Bishnah	60,274	Budgam	58,029	**2245**
Billawar	59,629	Habbakadal	59,337	**292**
Mendhar	67,120	Kulgam	55,296	**11824**
R S Pura	53,841	Rajpora	52,993	**848**
Raipur Domana	53,442	Handwara	52,943	**499**
Samba	60,444	Devsar	51,332	**9112**
Chenani	51,379	Uri	48,928	**2451**
Kishtwar	52,016	Sonawar	51,675	**341**
Ramban	43,783	Rafiabad	47,233	**-3450**
Doda	47,956	Chrar-i-Sharif	52,975	**-5019**

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Jammu Division		Kashmir Division		Difference
Basohli	50,098	Bijbehara	64,626	-14528
Marh	48,697	Khan Sahib	51,700	-3003
Inderwal	48,070	Tral	53,830	-5760
Gulabgarh	43,126	Kokernag	56,661	-13535
Chhamb	50,448	Pahalgam	46,698	3750
Nagrota	45,196	Shopian	46,715	-1519
Suchetgarh	42,762	Shangus	47,310	-4548
Banihal	45,595	Pulwama	49,162	-3567
Gool Arnas	37,488	Dooru	46,244	-8756
Bani	27,092	Chadoora	42,812	-15720
		Noorabad	41327	
		Pampore	44742	
		Kangan	38836	
		Homeshalibug	42685	
		Wachi	45260	
		Langate	41440	
		Sangrama	36245	
		Karnah	26,469	
		Gurez	9900	
Total	2240951	Total	2372012	

Smallest Constituencies

Lowest number of Voters in a Constituency, regionwise, In 2008 elections.

Jammu	Kashmir	Ladakh
Bani	Gurez	Nobra
37,197	15,330	11,863

The smallest constituency, with the least number of voters, in the Jammu region in Bani having 37,197 voters. In contrast, the smallest constituency with the least number of

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voters, in the Kashmir region is Gurez having only 15,330 voters.

During the 2002 Assembly elections, Gurez (constituency number 9) in Baramullah district was the smallest constituency in the Kashmir region with 14,140 voters. In contrast, the smallest Assembly constituency in the Jammu region was Bani (constituency number 63) in Kathua district with 36,015 voters.

The difference in the number of voters in the smallest constituencies of the two regions is very large. In fact, the number of voters in Bani was more than two and a half times as compared to Gurez.

During the 1996 Assembly elections, Gurez was the smallest constituency in the Kashmir region and it had only 9900 voters. In contrast, the smallest constituency in th Jammu region was, again, Bani with 27,092 voters.

The difference in the number of voters at this juncture between Gurez and Bani was very large, again. Bani had almost two and a half times the number of voters as compared to Gurez.

Largest Districts

In the Jammu region, the district with the largest number of voters is the Jammu district itself with 9,43,389 voters, comprising 4,78,545 males and 4,64,844 females.

Since there are 4,78,545 male voters and 4,64,844 female voters in Jammu district, we can calculate the difference between male and female voters by subtracting one from the other i.e. 4,78,545-4,64,844= 13,701. This means that in Jammu district, there are 13,701 less female voters as compared to the male voters.

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The voters of Jammu will elect 11 MLAs and the voting 1,11 those constituencies will be held in the last round of elections on December 24, 2008.

To arrive at the figure for average size of the constituency, we can divide the number of voters by the number of constituencies ie. 9,43,389/11= 85,762. This means that the average number of voters in a constituency in the Jammu district is 85,762.

District	Electorate	Constituencies	Average
Jammu	9,43,389	11	85,762

In the Kashmir region, on the other hand, the district with the highest number of voters is Srinagar having eight constituencies. There are 5,57,265 voters and they will elect eight MLAs. These include 2,88,984 male voters and 2,68,281 famale voters.

Therefore, in Srinagar district, we can find the difference between male and female voters by a simple calculation of 2,88,984-2,68,281= 20,703. This means that in this district, there are 20,703 less female voters as compared to male voters.

On the other hand, we can find the average size (by way of number of voters) of the Srinagar constituencies by dividing the total number of voters by the number of constituencies. This means that the average number of voters ln a constituency of the Srinagar district is 5,57,265/8= 69,658

District	Electorate	Constituencies	Average
Srinagar	5,57,265	8	69,658

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Now, compare the figure for the Jammu district of the Jammu province and Srinagar district of the Kashmir province.

Incidentally, Jammu city (in Jammu district) is the winter capital of the state and the most developed city of the Jammu region. On the other hand, Srinagar city of the Srinagar district is the capital of J&K and the most developed city of the Kashmir province.

In fact, Srinagar, with an international airport, a super speciality hospital, a top notch convention centre, severe starred hotels and certain such other things is far ahead of Jammu city. These things together give Srinagar an edge over Jammu, if various indices of measuring development are applied to the two cities, uniformly, for comparison.

By way of development, infrastructure like roads, medical facilities, and educational institutions etc, Srinagar is a clear winner over Jammu.

In Jammu district, an MLA will be elected by 85,762 voters while as in the Srinagr district, only 69,658 voters will elect an MLA. This is also means that if we compare the constituencies of Jammu and Srinagar districts, on an overage each constituency of Jammu has 85,762-69,658= 16,104 more or ADDITIONAL voters.

District	Electorate	Constituencies	Average
Jammu	9,43,389	11	85,762
Srinagar	5,57,265	8	69,658

Ref: from the book " Loaded Dice ? the 2008 elections in J&K" by Sant K Sharma , Dipankar Sengupta.

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REAL FACE OF THE SHEIKH
(REFERENCE BILL NO. 9)

Masquerading as big secular the Sheikh in Kashmir wanted a mini Pakistan and that too with the support of New Delhi. But Jammu and Ladakh regions proved to be brakes- in Dogri word a "Laddan".

The events of the history are witness to the designs.

After the unilateral cease fire and leaving one third of this State under the illegal occupation of Pakistan the Sheikh started his moves were in a planned manner.

The Hindu Sikh migrants numbering several thousands who had entered Kashmir Valley from adjoining Muzaffarabad and other enemy held area were packed to Jammu to be settled at various localities. They were not allowed to stay there.

Migrants from Pakistan

In wake of the sad communal partition of India in 1947 a horrible situation was created. There were massacres and large number of refugees from adjoining areas of west Punjab and other places entered Jammu. Many of these refugees had not only lost their homes and places but dear ones too, who were massacred before their eyes. Some blood ridden trains also reached Jammu.

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In this painful situation a communal frenzy was developed and the State administration was already paralysed because of invasion of armed tribesmen. Thus law and order machinery was in shambles. Many Muslims in Jammu areas were faced most difficult atmosphere. They migrated to Pakistan.

Discriminatory Approach

The Sheikh led administration created a custodian Department to safe guard the properties of those who had left for Pakistan but there was little proper registration of those over two lakhs of migrants from enemy held areas even the inventories of properties left behind by these migrants were not prepared.

Compelled by this sad approach of the authorities large number of these migrants left for various parts of the country as also abroad to UK and other countries to have a new life without any Govt. assistance.

Pt. Dogras Suggestion

Pt. Prem Nath Dogra and other suggested that the properties of the migrants to Pakistan should be allotted to the migrants from Pak held areas and the cost of these should be deposited in the Banks in name of those who had left for Pakistan and settled there.

But this suggestion was turned down by saying that the POK areas would be liberated and the migrants would go back to be settled there and vice versa.

Sheikhs Tricks

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In 1975-76, after resuming power in wake of Sheikh-Indira Accord, Sheikh Mohd Abdullah restored some properties including lands, houses and even some shops to the "relations" of the migrants on basis of some documents prepared in Pak/POK. But this led to great resentment and even protests by the allottees who were mostly the migrants from enemy held areas of the State.

Master Stroke

In early eighties the dispensation of Sheikh Mohd Abdullah adopted a legislation envisaging that the migrants to Pakistan would have the citizenship of J&K whenever they return to the State. This controversial move of the Sheikh caused a big resentment not only in the State but also in rest of the Country too.

Copy of the Bill:

Introduced on March 8, 1980, the J&K Resettlement bill became a law in April 1982 when both house of the state legislative assembly passed it. The then governor B K Nehru returned the bill on September 18, 1982 seeking "reconsideration" but the houses passed it again without any change on October 4, 1982. Though governor gave his mandatory ascent to the bill on October 6, 1982, the piece of legislation had already been sent on September 30, 1982 for a Presidential Reference to the apex court under the provisions of Article 142 (1) of the constitution by the then President Giani Zail Singh seeking opinion "as to whether the bill or any of the provision thereof, if enacted, would be constitutionally invalid".

After 19 years, a 5-member constitutional bench comprising Chief Justice S P Barocha, Mr. Justice Syed Shah Qadri, Mr. Justice N Santosh Hegde, Mr. Justice S N Variava and Mr. Justice Shivraj V Patil returned the bill unanswered on November 8, 2001. In its order the constitution bench observed that "it appears to us inexpedient to answer the question posed to us in the (presidential) reference".

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"Under the provisions of Article 143, this court may respectfully decline to express its advisory opinion, if it is satisfied that it is not appropriate to do so, having regard to the nature of the questions forwarded to it and having regard to other relevant facts and circumstances... Having regard to the facts that the bill became an Act as far back as in 1982, it appears to us inexpedient to answer the question posed to us in the Reference. Even if we were to answer the question in the affirmative, we would be unable to strike down the Act in this proceeding. We think, therefore, that the reference must be, respectfully, returned un-answered," the bench observed.

As the state government was in the process of setting up an authority for implementation of the law, another PIL was filed before the Supreme Court on which a stay was issued. It is still disputed in the court of law. Kashmir Life is reproducing the law for its wide readership.

THE JAMMU AND KASHMIR GRANT OF PERMIT FOR RESETTLEMENT IN (OR PERMANENT RETURN TO) THE STATE ACT, 1982.

[ACT NO. X OF 1982]

[Received the assent of the Governor on 6th October, 1982 and published in the Government Gazette dated 7th October, 1982.] [6th October. 1982]

An Act to provide for regulation of procedure for grant of permit for resettlement in or permanent return to the State of the permanent residents of the State.

Be it enacted by the Jammu and Kashmir State Legislature in the Thirty-third Year of the Republic of India as follows:-

1 Short title:— This Act may be called the Jammu and Kashmir Grant of Permit for Resettlement in (or Permanent Return to) the State Act 1982.

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2. Definition:- This Act, unless the context otherwise requires:-

(a) "Competent authority" means an authority appointed as such by the Government by a notification in the Government Gazette for purposes of this Act;
(b) "Form" means a Form appended to this Act or prescribed under the rules framed there under;
(c) "Permanent resident" means a permanent resident of the State as defined in section 6 of the Constitution of Jammu and. Kashmir;
(d) "Resettlement" means resettlement in the State or permanent return to the State;
(e) "Prescribed" means prescribed by rules made under this Act; and
(f) "State subject of Class I or Class II" shall mean the persons defined as such in the State Subject Definition Notification No: I-L/84 dated 20th April, 1927 read with State Notification No. 13-L/1989dated 27thJune, 1932. Notification No: 13-L/1989 dated 27th June, 1932.

3. Application for permit:- An application for permit for resettlement in the State of any person who before the fourteenth day of May, 1954 was a State Subject of Class I or of Class II and who migrated after the first day of March, 1947 to the territory now included in Pakistan may be made by the person himself or by his relative, who is a permanent resident of the State to the competent authority in the prescribed Form.

4. Inquiry by Competent Authority:- The Competent Authority, if satisfied after an inquiry, in such manner as may be prescribed, that the person desirous of resettlement in or permanent return to the State: —

(a) has a bonafide intention for such resettlement in or permanent return to the State; and

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(b) was a State subject of Class I or of Class II before the fourteenth day of May, 1954 and had migrated to the territory now included in Pakistan after the first day of March. 1947 or is a descendant, wife or widow of such State subject as the case may be; shall recommend such person to the State Government for grant of a permit for resettlement in or permanent return to the State.

5. Declaration by the State Government:- The Government may on being satisfied about the genuineness of the application, and the inquiry and the recommendation of the competent authority, declare in such manner and in such form as may be prescribed, the person to be eligible for resettlement in the State.

6. Grant of permit:- Upon a declaration under section 5, the person eligible shall be granted a permit for resettlement in the State in such form and manner as may be prescribed :

Provided that the permit granted under this section shall have no effect if the person fails to take an oath of allegiance, in the following form within one calendar month of —

(a) the date of issue of permit, in the case of persons present in the State ; and

(b) the date of arrival in the State, in the case of persons not present in the State : —

OATH OF ALLEGANCE

I do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India and of the State as by law established and that I will faithfully observe the laws of India and of the State and fulfil my duties as a permanent resident of the State.

Signature.

Designation.

Affirm/Sworn and subscribed this ---- day of----19----before me.

Signature.

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Designation.

7. Maintenance of records and registers:-
(1) The Competent authority shall maintain:-
(a) a separate register containing the names, particulars including age and sex and address of the persons recommended by it for permit for resettlement in the State ; and
(b) record of the proceedings of the inquiry.

(2) The Government shall maintain:-

(a) A separate register of persons declared eligible for resettlement in the State and of the persons to whom permits have been granted.
(3) When a permit for resettlement it issued under section 6 a duplicate copy thereof shall be prepared and, preserved for records by the issuing authority.
(4) All entries made in the registers shall be authenticated and numbered consecutively and each entry shall relate to one person only.

8. Procedure for issue of summons etc:—The provisions of the Jammu and Kashmir Land Revenue Act, Svt. 1996 in regard to the issue of summons, notices and to the conduct of inquiries including recording of statements, issue of copies and inspection of records shall apply mutatis mutandis to the proceedings under this Act.

9. Revisions:—The Government may at any time either on its own or on a reference or an application made to it in this behalf call for the records of any case or proceeding pending before or disposed of by a Competent authority and may uphold or reverse the orders of the Competent authority or may pass any other order or give any directions as it may deem fit, provided that no orders prejudicial to an interested person shall be passed without giving such person a reasonable opportunity

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to be heard.

10. Powers to make rules:-

(1) The Government may make rules for purposes of carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power, such rule may provide for or any of the following matters, namely :-

(a) form of application for grant of permit for resettlement in the State;

(b) form of permit for permanent resettlement in the State ;

(c) fees chargeable in respect of permit;

(d) manner and procedure for holding inquiry by the competent authority and by the Government ;

(e) form and manner in which registers and records are to be maintained ; and

(f) any other matter which may be or has to be prescribed under this Act.

THE JAMMU AND KASHMIR DELEGATION OF POWERS ORDINANCES: 1982.

ORDINANCE NO. I OF 1982,

Promulgated by the Governor on 8th November, 1982 and published in the Government Gazette dated 8th November, 1982.

[8th November, 1982]

Promulgated by the Governor in the Thirty-third Year of the Republic of India.

An Ordinance to provide for the delegation of powers by

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the Revenue Minister under various laws.

Whereas the State Legislature is not in session and the Governor is satisfied that circumstances exists which render it necessary for him to take immediate action.
Now, therefore, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir the Governor is pleased to promulgate the following Ordinance : —

1. Short title and commencement. —
(1) This Ordinance may be called the Jammu and Kashmir Delegation of Powers Ordinance, 1982.
(2) It shall come into force at once.

2. Delegation of powers. — The powers exercisable by the Revenue Minister to hear appeal or revision under any law, rule or order for the time being in force shall, not withstanding anything to the contrary contained in any such law, rule or order, be exercised by such person or authority, in such cases, as he may, in the interest of justice, by order, from time to time, direct.

Comments by Justice G.D. Sharma as contained in his book -The Plight of Kashmir:

The National Conference leaders frequently described 23 years (from August 9, 1953 to February 25, 1975) as a "dark patch in the history of Kashmir." Sheikh Abdullah immediately started picking his Plebiscite Front workers in the State Administration including in the police department in a systematic and calculated manner, as he already had done of course more openly during his first tenure up to 1953. In the Parliamentary elections of March 1977, the Congress Party was routed in northern India. The Congress Party sensed that Sheikh Abdullah would join hands with Janata Party The Congress had strength of 45 members in the house of 75 and on March 25, 1977, it withdrew the support and put up a claim to form the Ministry.

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Sheikh Abdullah got the house dissolved from Governor LK Jha. The Congressmen decried the decision as "undemocratic, morally indefensible and constitutionally questionable." At that time, there was Janata wave in the country. Party unit was set up in the State with Maulana Masoodi as its Convener. Maulvi Farooq of Awami Action Committee also joined it. This made Sheikh panicky and he started raising parochial feelings. He also raised false propaganda for the abrogation of Article 370 of the Indian Constitution. The propaganda included that the State would cede from India if Kashmiris were not given the place of honour and dignity In the Muslim-dominated rural areas, the leaders of National Conference administered oaths to the electorates by holding Koran in one hand and Pakistani salt in the other to cast votes in their favour (See My Frozen Turbulence in Kashmir by Jagmohan). During the period of elections, he fell sick and his detractors say that this was a ploy to win the sympathy of the masses. This semi-fascist propaganda yielded the results as in the elections of June 30, 1977; he won 39 seats in Valley out of 42, seven seats from Muslim majority area of Jammu region out of total 32 seats and both seats from Ladakh. The Janata Party got two seats in the Valley and eleven in the Jammu. Congress was routed in the Valley but it won 14 seats in Jammu region and that too because of infighting between the members of Janata Party.

In the history of elections so far held in the State this was the fairest election because Prime Minister Morarji Desai and other important leaders in his cabinet including Shri Atal Bihari Vajpayee of the Janata did not allow any rigging of the elections which could easily be party done by them because the State was under the spell of Governor's Rule. However, from the above stated facts it is established that the tallest leader from Kashmir Valley, i.e. Sheikh Abdullah despite his last days of life did not desist from the old habit of playing a religious card in order to win a victory in the elections. These tactics adopted by him could be termed as unfair practice under the Election Law but because

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of the paucity of available evidence and in fighting and disunity in other political parties, the matter could not be taken up in the Election Tribunal by way of filing election petitions.

Sheikh Abdullah was sworn in as Chief Minister on July 9, 1977.

Small caucuses in political and administrative arena ascended around him and this generated corruption and regional discrimination. He withdrew criminal cases against 30 hardcore activists of A1-Fatah (a militant organization). The Sessions Judge who was designated as Special Judge at that time to try this case was known for his honesty and possessed accommodating disposition of mind towards lawyers as well as litigants. He had been trying this case in the premises of Central Jail Srinagar where a small separate portion of the jail building had been converted as a court complex for the trial of anti-nationals. This had been done for security reasons as important and dreaded anti- nationals normally could not be taken on every date of hearing in the court complex of Srinagar which was situated in the heart of the city. In 1980, the writer of this book was promoted as District and Sessions Judge and posted as First Additional District and Sessions Judge Anti- Corruption for Kashmir Division (including Ladakh region) with additional powers to try the anti-nationals under the Enemy Agents Ordinance of the Samvat year 2007 (AD 1950) promulgated by the then Sadar-i-Riyasat (Dr Karan Singh). At least twice or thrice in a month, the court proceedings were held in Central Jail premises. The staff members had told the writer of this book that the accused of this notorious anti-national organization were being treated as State guests the court on every date of hearing. They were being served sumptuous tea along with fried chicken and 'Kashmiri kebabs'. The accused were getting long adjournments according to their wishes and Convenience. At this stage, it will amount to do injustice to the Patriotic zeal and fervour of late Peer Ghulam Hassan Shah, ex- Director-General

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of Police (J&K) in case his professional ethics Performed with sense of duty as a patriot police officer is not given a space in this book. This heroic deed of Police officer of rare competence and moral courage with full dedication to safe guard the disintegration of the state from Union of India, unfortunately faded away after passage of time.

The successor political bosses at the helm of the affairs inclusive of administrators and concerned members of the judiciary had succumbed to some hidden pressure to prolong the legal process set afoot by him. He had done so without caring for the future risk to his life and family member's safety. With utmost professional competence he had unearthed the underground network of the above said anti-national organization.

The result was that all the accused got an opportunity to avail the pre-planned escape route and were away from the clutches of law Had the case been tried in a fair manner with all promptitude it could be possible the result would have been otherwise. MY Saraf of POJK in his book has tremendously praised the network of the above stated organization from his own Pro-Pakistan point of views. After the end of this one of the sensitive anti-national case, Sheikh Abdullah accommodated some of the accused at vantage political and administrative positions including in the judiciary. In order to ensure the successful accession of Chief Ministership in favour of his son Dr Farooq Abdullah, he asked the potent contender Mirza Afzal Beg to resign. He did so on September 25, 1978 and four days later was expelled from the party. Throughout his life, Baig had stood like a rock with Sheikh Abdullah and advanced his mission of life. He was recognized as number two leader in the hierarchy of leadership. After his unceremonious expulsion, he fell sick and remained on death bed for a pretty long time. Late DD Thakur on Baig's exit occupied his senior position in the government as a minister and in his autobiography he has

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recorded that when he (Thakur) suggested Sheikh Abdullah to pay a courtesy call jointly at the house of Afzal Beg, Sheikh Abdullah opposed this idea but with great persuasion he made him to agree to see the ailing ex-minister along with his other colleagues. It is not sure whether Sheikh Abdullah himself had accompanied them or not. Anti-defection law was enacted to strengthen his coterie. In order to keep the emotional fervour of the Kashmiri masses boiling he passed the controversial Resettlement Bill which discriminates ' the inhabitants of the State on the ground of religion. At the time of partition of India in 1947, many Muslims having Muslim League's leanings had migrated from the state to the territory of Pakistan. The Bill envisaged their safe return including their successors in the State of J&K but Hindus and Sikhs who became refugees from the Pakistan occupied areas had not been given any compensatory relief. Rather, they had to surrender their properties occupied as allottees of the evacuee properties on the claims of proprietary rights of those anticipated returnees from Pakistan. In other words, again for the second time they had to become refugees on the basis of being Hindus/ Sikhs. Even hardcore descendant militants of those migrated families could return to the State under the protection of that proposed Bill as Real Migrants, Sheikh Abdullah passed away on September 8, 1982. He got a mammoth funeral. Dr Farooq Abdullah as expected succeeded him as Chief Minister. This was a smooth affair there was nobody in the National Conference to challenge Sheikh Abdullah's last wish. Mrs Indira Gandhi (Prime Minister of India) and Governor of the State BK Nehru had also participated in the funeral procession. The writer of this book who at that time was in Kargil Headquarters as District Judge Ladakh also came to witness the funeral procession which was a sea of human beings. Undoubtedly, people of Kashmir gave him great love and affection in the last journey of his life.

The Resettlement Bill had raised fierce controversy as the Central Government and the Governor received hundreds of

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representations. The Governor sent the Bill back to the Legislative Assembly pointing out the constitutional infirmities. At this time, Dr Farooq Abdullah had become the Chief Minister. He persisted and got the Bill passed second time on October 4, 1982. The Governor was left with no option but to give his assent. From here, the Central Government held discussions with new Chief Minister Dr Farooq Abdullah and made a Presidential reference to the Supreme Court for its advice. In 2002, the Supreme Court dismissed the reference by holding that it had already become an Act so the reference was not maintainable. Two Public Interest Writ Petitions were filed in the Supreme Court. (Writ Petition of 2001 titled 'Shiv Sagar Tiwari and another vs State of J&K' and others; writ Petition of 2001 titled 'J&K National Panthers Party vs Union of India and others'). The Apex Court has granted the interim relief by staying the Operation of the Act and the writs stand admitted for hearing. The thinking of the protagonists of the Resettlement Act and the thinking of the J&K Liberation Front spring from the same root, i.e. separatist Psyche. The passing of the Autonomy resolution in the J&K Assembly in 2001 by Dr Farooq Abdullah gives credence to this view. The solution also speaks of discrimination and communalism. It divides State into eight Divisions out of which only one Division would be Hindu-dominated. It dissects the Jammu region on communal lines. The central Government headed by Shri Atal Bihari Vajpayee out rightly rejected this resolution though Dr Farooq Abdullah and his party men were most unhappy being the partners in the coalition NDA Government.

Reference: Bill no. 9

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FIVE TERRORISTS FREED FOR RUBIA'S RELEASE DECEMBER 13, 1989

On December 8, 1989, Rubaiya daughter of Mufti Mohammad Sayeed, the then Home minister of India in the V. P. Singh government was kidnapped by JKLE They were demanding release of five militants in exchange for Rubaiya's release. The negotiations opened through Zaffar Meraj a local journalist, while Shabnam Lone, daughter of AB. Ghani Lone and Maulvi Abbas Ansari of the Muslim United Front were tapped as possible channels. Later, a judge of the Allahabad High Court, Moti Lal Bhat, entered the picture. A friend of Mufti, he began negotiating directly with the militants on behalf of the Union Home minister December 13, 1989, two Union Cabinet Ministers, Inder Kumar Gujral and Arif Mohammad Khan, personally flew to Srinagar to persuade. The Chief Minister Farooq Abdullah who was opposed to the kidnappers' demand. He argued openly that surrender to the terrorists' demands would open the floodgates of such mischiefs. The Dr. Farooq Abdullah's Govt. reluctantly followed the dictates of the Union Govt. headed by Mr. V. P. Singh to save his own neck and power. Accepted the demand of ghost kidnappers and released' unconditionally, ISI sponsored five militants from Srinagar jails namely Sheikh Abdul Hameed, a so called JKLF 'area commander Ghulam Nabi Butt, younger brother of the late Maqbool Butt, Noor Muhammad Kalwal, Muhammed Altaf, and Javed Ahmed Zargar a Pakistani citizen.

December 13, 1989, Dr. Rubaiya Sayeed was set free, two hours after the government released the five jailed militants.

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Thousands of young men gathered at Rajouri, Kadal to take them out in a so-called victory procession. The procession was glorified in its national bulletin by 'DD' only channel available those days boosting the dying morale of the dying militancy. An unforgivable blunder

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MIGRATIONS OF KASHMIRI PANDITS

First Migration

ZUL QADIR KHAN @ DULUCH, a Turkish Tartar reigned Kashmir for eight months In 1320 AD and resorted to loot and plunder of Hindus resulting in the death of many. He took 20,000 Kashmiris (then all Hindus), including women and children, for sale as slaves in Turkistan but the whole lot perished in cold snow while crossing the 'Devsar pass' _ a place referred to as 'BATA SAGAN'(Brahmans death oven). Jonaraja, a Kashmiri historian described the period as PRALAYA wherein rivers and streams turned red with human blood. Later, RINCHEN, a Buddhist fugitive from Ladakh, seized power after deceitfully murdering Ram Chandra, the self proclaimed king. He was trickily converted by Bulbul Shah, another refugee from Turkistan, who was like RINCHEN granted refuge by king Sahdeva. The zealot convert assumed the name of Sadr ud din and used brutal vigour and force for mass conversion. His campaign was incited, aided and abetted by Bulbul Shah, who advised the king to persecute and tyrannise the resistant Hindus with all fair and foul means, like compulsion, taxation, unjust laws, use of sword and forcible inter-marriages. Rinchen's rule lasted for brief period till his death in 1323 AD.

Second Migration

During the rule of Sultan Qutub-ud-din (1373-89 AD), about 700 sayyids and a large number of sufi saints and Islamic

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scholars, accompanied by Ali Hamdani came to Kashmir from Persia and Central Asia, and successfully drew wedge between the majority Hindus and minority converts to Islam. He prescribed model of hatred, distrust, intolerance and bigotry against Kashmiri Hindus. Under dictates of Sayyids Qutub-ud-din converted 37,000 Hindus to Islam. Sultan Sikander (1389-1413 AD) notoriously known as SIKANDER BUTSHIKANI spread barbarism further on and issued an atrocious order, under the influence of Baihaqi Sayyids led by Mohammad Hamdani son of Ali Hamdani, forbidding Hindus from applying tilak on their forehead and launched relentless campaign for conversion to Islam urged the Hindus to opt for conversion or exile or death. The cleric urged him to wipe out infidelity root and brand. The two reinfoced Malik Saifuddin; a rabid neo- convert originally named, Suha Bhatta; who was appointed Chief Minister, to unleash a reign of terror against those resisting conversion. He threw into Dal Lake all the sacred books of the Hindus. Seven maunds of sacred thread of the murdered Hindus were also burnt. Many Hindus migrated to various places in India (after reaching KISHTWAR and BHADERWAH via Sinthan pass) through BHATTA WATH (present day Batote), path of the Bhattas, which Kashmiri Hindus were then popularly referred to as. From this period onwards the predominance of Muslim population in the Kashmir Valley began.

This was, however, followed by a virtual golden period of peace, harmony and dignity during the rule of SULTAN ZAIN-UL-ABDIN @ BADSHAH (1420-70 AD), who was most tolerant and benevolent. Historian SRIVARA described the period "like the cooling sandal paste after the heat of summer in a desert had departed". He allowed rebuilding of demolished temples, removed all restrictions against Hindus, banned cow slaughter and killing of fish in ponds considered sacred by Hindus. Above all BADSHAH recalled Hindus who had fled the Valley due to persecution and assigned them responsible positions on merit. He also got Hindu shastras as also

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Mahabharta translated into Persian.

Third Migration

CHAKS, with well built body and wild nature, came to Valley from Dardistan area of Gilgit-Hunza region, and when SHAH MIR, a refugee forced to flee from SWAT, founded his Sultanate (1339-42 AD), he recruited Chaks in his army thus affording them a place of prominence. CHAKS were Shias by faith and adopted policy of conversion by coercion, loot, plunder and butchering of Kashmiri Hindus. When Sultan Fateh Shah proclaimed himself as Ruler (1506-16 AD), he became a tool in the hands of intriguing SHAMS CHAK and his three friends, namely, Nusrat Raina, Sarhang Raina and Moosa Raina. Later Moosa Raina took over as Chief Minister from Shams Chak , and his Shia mentor named, Shams-ud-din Iraqi, hailing from Talish on the Caspian sea- an Islamic propagator and converter of non-believers- opened floodgates of repression, terror and cruelty with demolition of temples to erect mosques on their foundations. 24,000 Brahmans were converted to Islam during this period. In 1517 AD, Mohammad Shah appointed GHAZI CHAK, a Shia, as Chief Minister, who later founded the CHAK dynasty Rule in 1561 AD. He also gave no quarter and no time for recovery to the distressed Kashmiri Hindus. He used to get 900 Hindus beheaded every day for not having accepted Islam. He also ordered slaughter of 1,000 cows, whom Hindus held as sacred, to wreck vengeance and shock them into accepting Islam. Hindus wearing sacred thread had to pay annual tax to CHAK Rulers. YAQUB CHAK, a rank communalist, even got Hindus hauled up in their houses to roast them alive. Innumerable Hindus left their homes and hearths and while fleeing a barrage of spiteful abuse was let loose to prevent their return to the land of their heritage.

This was followed by another spell of respite for Hindus when Kashmir became a province of Mughál Empire. Emperor AKBER (1556-1605 AD) visited Valley thrice in 1589,1598 and1601 AD. He was admittedly highly tolerant and refrained

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from falling into the net of religious zeal. He never resoted to the policy of persecution and discrimination against Hindus. Many Hindus who had fled to safer places outside to save their lives, honour and dignity found conditions in their home land highly conducive for honourable return, of course shocked, to find their homes looted and plundered during the period of their absence. Fourth Migration.

JAHANGIR'S (1605-27 AD) sectarian predilection and prejudices were clearly pronounced resulting in his shuffling his stances in dealing with Kashmiri Hindus, who were forced to marry their daughters to Mughal Officers and Subedars. He disapproved and opposed matrimonial relations between Hindus and Muslims and declared that while a Hindu was debarred by law to marry a Muslim woman, the Muslims had the entire license to marry a Hindu woman. ITQUAD KHAN, the Mughal Sardar further sullied Jahangir's image by forcing the Hindus at gun point to get converted to Islam. He also tortured them by levying taxes. SHAH JEHAN (1627-58 AD) also contributed his bit by desecrating and demolishing a number of temples. AURANGZEB'S (1658-1707 AD) puritanical disposition did not go well with Kashmir. He visited the Valley once in 1665 AD. He appointed 14 atrocious Subedars who pursued policy of Islamization. Notable among them was IFTEKHAR KHAN (1671-75 AD) for his cruelty of all sorts to leave Kashmiri Hindus no alternative but to embrace Islam or quit the homeland. A delegation of 500 Kashmiri Hindus led by KRIPA RAM, a learned person, called on SHRI GURU TEG BAHADUR to narrate the woeful tales of diabolical misrule of AURANGZEB patronized IFTEKHAR KHAN. The great saint from Punjab went to Delhi for redressal of Kashmiri Hindus grievances and got martyred by cunning AURANGZEB in 1675. Hence due to continued persecution including killings and desecration of temples the exodus continued unabated. Justice Jia Lal Kilam records in his 'History of the Kashmiri Pandits' (with due reference to the earlier histories written by Muslim historians like Fauq, Hassan and Azim Khan – the latter being

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reportedly an eye-witness of the episode) that "Muhatta Khan (who appeared on the scene towards the end of Mughal Rule) was credited with a deep knowledge of Islamic laws, somehow or other found fault with the policy followed by the Naib Subedar Mir Ahmed Khan towards the Hindus and made it plain that ascendency of the hindus was intolerable from every point of view. He laid a prayer before the Subedar to the following effect that No Hindu should ride a horse, nor should he wear a shoe; they should not wear Jama (an article of Mughal dress); they should not bear arms; they should not visit any garden; they should not have Tilak mark on their foreheads; and their children should not receive any education. The Subedar refused to agree to these proposals. But Muhatta Khan who was of a sterner stuff could not take this lying down and he took the law into his own hands and established his seat in a mosque where from he issued orders in furtherance of his proposals. He gained huge following and his fans were deputed to harass and humiliate the Hindus in general. He issued an edict that whenever a Hindu is seen riding a horse, he should be pulled down, Tilak mark should be erased from his forehead and his turban and shoes should be snatched away. Besides, orders were issued that no Hindu should attend any school or visit a garden, nor should he wear decent dress and so on. This was a signal for a general rising and an orgy of loot, plunder and murder was let loose. Muhatta Khan soon over-powered the Subedar and assumed all powers of the State. Having done so, he ordered a systematic attack upon the Hindu areas. Hundreds of them were killed and maimed and most of them were looted and their houses burnt".

Fifth Migration

The AFGHAN RULE (1753-1820 AD) was ruthless and atrocious. The period under two upstarts, namely, LAL KHAN KHATTAK and FAQIR ULLAH was extremely tyrannical KHATTAK was given to insane rage and sometimes got the entire family killed on mere suspicion. He got hundreds of

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Hindus killed because he suspected his father had been killed at the instance of a Kashmiri Hindu noble, KAILASH DHAR, who was killed in broad day light in the court of the Shia Governor, AMIR KHAN JAWANSHER, at the instance of FAZAL KANTH, the diabolical son of FAQIR ULLAH, who was then Chief Minister. The episode left Hindus alarmed, panicked, helpless and desperate resulting in their flight to safe shelters in Poonch and Kabul. The misrule touched lowest ebb under the Governorship of HAJI KARIM DAD KHAN and ASAD KHAN. For minor offences propel were tied in pairs and thrown into river. Women were sexually abused. The despotic ASAD KHAN got the belly of an outside surgeon cut, for failure to set right his eye, to verify his threat. ASAD assumed the title of NADIR SHAH II in 1784 AD. ATTA MOHD, another Afghan Governor, persecuted Hindus relentlessly and earned notoriety for his insatiable lust for beautiful Kashmiri women. Apprehensive Hindu parents got the good looks of their daughters sullied to evade attention of Governor's agents. Anand Kaul Bamzie records in his book 'The Kashmiri Pandit', JABBAR KHAN, the last Afghan Governor who got killed at Shopian on july15, 1819 AD, was once told by someone that it was a common notion among the Pandits that snow falls invariably at the Shivratri night (13th day of the dark fortnight Phagun). To test this, he ordered that the Pandits should not observe this festival in Phagun (February-March) but in Har (June-July). Accordingly, it had to be observed on the corresponding night in the latter months. It so happened that even on that night flakes of snow, preceded by a heavy rainfall which had rendered the atmosphere very cold, fell. The bard then, mocking at him sang: 'Wuchhton Yi Jabbar Jandah Haras ti karun vandah' (Look at Jabbar, the wretch, even Har he turned into winter)".

The capture of Kashmir by Sikhs marked the deliverance of the Kashmiri Hindus from the barbarous Afghan Governors. Pt BIRBAL DHAR's political maturity paved the way for Maharaja RANJIT SINGH to establish SIKH RULE (1820-46 AD) in the Valley. The sounds of bells again started emanating from

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the temples. The Sikh rule was an era of peace for all. Some stray instances of harshness by the Sikh rulers apart, they were not cunning, cruel and fanatic religious zealots as their Muslim predecessors. Young husband; a British Political Resident in Kashmir, who had travelled extensively in Kashmir and other areas around the Himalayas as also Central Asia/China; observed " The Sikhs were no so barbarically cruel as the Afghans' but they were hard and rough masters".

Sixth Migration

The last Governor of the Sikh Rule, IMAM-UD-DIN was made to surrender the possession of Kashmir to Raja GULAB SINGH in pursuance of the Treaty of Amritsar signed on March 16, 1846 AD. The Dogra dynasty lasted for a little over a century and saw four Maharajas, namely, GULAB SINGH (1846-57), RANBIR SINGH (1857-85), PARTAP SINGH (1885-1925) and HARI SINGH (1925-1952). The J&K State acceded to India on October 26, 1947, but the hereditary rule of the Dogras was abolished in 1952. In the wake of the British Government's pervasive and decisive intervention in the affairs of the State the period could well be called the Dogra-British rule rather than the Dogra rule alone. The British pursued their known policy of divide and rule and exploited the jealousy among the newly educated Muslim youth against the well educated Kashmiri Pandits to carve out a situation to set stage for desperate Muslim youth to enact scenes of violent political agitation. The KPs became an eyesore for the simple reason of their outshining others. SHEIKH ABDULLAH, then the most prominent leader of the Muslim Reading Room Group, minced no words to voice resentment and made provocative speeches in mosques resulting in Kashmiri Muslims repeating history of loot, arson and murder on July 13, 1931, a black day for Kashmiri Pandits, ironically celebrated by the local government and the Muslims as martyrs' day even now. The frenzied mob went beserk and the Maharaja's administration failed to protect the terrorized KPs, who were taken unawares. Thousands of KPs had to flee the

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Valley for life.

Seventh Migration

The post independence period witnessed yet another spell of migration by the hapless KPs from Northern, North western and North eastern parts of Kashmir; to capital city of Srinagar in the wake of Pak raiders invasion in October, 1947 aided and abetted by the State of Pakistan ; where local zealots joined hands with hordes of savages from NWFP, except Srinagar and South Kashmir, behaving worse that their Afghan ancestors. Innumerable prominent KPs had to bid unwilling adieu to their land of birth due to ever dwindling and waning chances of livelihood despite merit, abolition of zamindari system that reduced thousands of KP owners as paupers owing to lack of due compensation as also discrimination of KP youth in matters of admission to higher education and technical /professional institutions. The process of slow exodus was further aggravated by the events like Relic agitation (1963) and forcible abduction and conversion of a Hindu girl (1967).

Eighth Migration

When G M SHAH @ GUL SHAH snatched political power from his estranged brother-in-law in 1984 he masterminded the construction of a mosque within the premises of New Secretariat at Jammu and provoked Muslims in Srinagar (February 20, 1986) to communalise the situation to rebut the criticism of the valiant people of Jammu. He deliberately raised the bogey of 'Islam Khatre Mein Hai' that led to unleashing spree of desecration of Hindus' places of worship. MUFTI SYED, then President of the local Congress unit, patronized a crude and confirmed fundamentalist theologist, QAZI NISSAR of South Kashmir to spearhead a movement that led to level raising of the temples in the far and wide of Southern Kashmir and the consequent fear psychosis among KPs. This episode of 1986 made two things crystal clear that Kashmir was for Muslims

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only and the slogan of Kashmiriat (secularism with reference to Kashmir) was a farce. Looked from the historical perspective these events formed a link in the chain of persecution of KPs over centuries in the past at the hands of Muslims. Numerous KP families disposed of their immoveablePn properties and left the Valley for good.

Ninth Migration

The happenings of the midnight of January 19/20, 1990 dealt the blow responsible for the current spell of forcible en masse migration of the Kashmiri Pandit community. This was followed by the ruthless public killings of over 300 people belonging to the miniscule minority throw in the whole community in a state of shock and continued mourning. This started with the exchange of five dreaded militants to secure release of Rubia; daughter of then Union Home Minister MUFTI SYED, who's secular and nationalist credentials were already suspect in the eyes of KPs; from the clutches of her kidnappers. Pakistan establishment was pursuing the policy of OP-TOPAC pronounced by then Pak President, Gen. ZIA-UL_HAQ in a Top Secret meeting at Islamabad in April, 1988. The indoctrinated Muslim youth were motivated to rally also Muslims under the religious theme of Jehad to fight the enemy. The 'holy' war supposed to be against the infidels ruling Kashmir from New Delhi but a beginning was desired to be made with hitting the KPs labelling them as agents of India and branding them as traitors who had allegedly always stabbed local Muslims in the back. As aptly observed by Prof K L Bhan in his book 'Paradise Lost', "No saner voice rose among the enlightened literate Kashmiri Muslims, who sealed their lips, curbed their conscience and smothered their soul in astonishingly mysterious silence".

Source: compiled by Nancy Bhushan Lal Dhar.

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ACTION AGAINST CORRUPTION (ALLOTMENTS OF PLOTS TO MLA)

The Bourbon of the National Conference and the Congress (I) were so insensitive to public feelings that they indulged in corrupt deeds unashamedly. They did not realise that the revulsion of the masses to corruption was strengthening the forces of subversion and terrorism.

The improprieties that were being committed could be seen from the case of allotment of seventy-four plots to the Minister and Members of the Legislative Assembly and legislative Council. The allottees included Dr. Farooq Abdullah, younger brother and Minister, Dr. Mustaffa Kamal, Development Minister, Attaullah Suhrawardhy, Finance Minister, Abdul Rahim Rather, ex-Revenue Minister and Member of Parliament P.L. Handoo and Congress (I) Cabinet Ministers Mangat Ram Sharma, Ghulam Rasool Kar, Moulvi Iftikhar Hussain Ansari etc. The case strongly supported the widely held view that the National Conference (F)-Congress (I) Ministry had merely joined hands to feather their own nests.

I reproduce below my orders o February 23, 1990, which speaks for itself:

"Subject: Allotment of seventy-four (74) plots to Ministers and MLA/MLCs in Roop Nagar Housing Colony.

I am dismayed to see this case. It shows how self-serving certain sections of the power structure have become. Almost all the MLA/MLCs, including the Ministers, have decided to give

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unto themselves a plot each. And that, too, in a manner which shows no respect for fundamental principles of public administration and justice.

The plots were meant for auction. By one stroke, they were taken out of auction by the Ministers for allotting these plots to themselves as well as to those (MLA/MLCs) whose duty it was to act as a watch dog of the public interest.

There is no resolution of the Jammu Development Authority, changing its decision to auction the plots in question. The statutory provisions of Jammu and Kashmir Development Act have been flouted.

I understand that the 'agreements" have also been executed with a speed wholly alien to the erstwhile regime. During the last week, I have come across a number of cases in which salaries have not been paid to the employees for the last 10 months. The cases of Sopore College and Sopore School are relevant in this regard. Likewise, the employees of the Notified Area Committees have not been paid. Only yesterday I had met a widow whose husband was killed in terrorist violence in December. She is still knocking the door from one office to another without getting even an iota of relief. In this case, however, decision was taken with unprecedented speed, allotment orders securing obtained and agreements executed after concessional method of payment of money.

After considering all aspects of the case, including the mala fide nature of the transaction, I have come to the Conclusion that it would be in the public interest to rescind the Order which in any case was ab initio void. I therefore, Order that allotments should be cancelled and all concerned informed individually and amounts collected refunded.

The case not only involves question of legality and impropriety but also mental attitude of those exercising power.

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Talking about the Municipal Councillors, Gandhi Ji once said that they should work as unpaid scavengers and road cleaners. This was the motivation which he wanted the people's representatives to possess. And what motivation does this case show".

The order had a salutary effect. The common Kashmiri and the common Jammuite were happy that justice was being done and the State resources which had been concerned by oligarch would now be available for development and welfare activities. In this case, an indirect subsidy of at least Rs. 3 Lakhs , at the State expenses, would have been available to each of the allottees. Since the total of allottees was seventy-four, the state would have been deprived of over Rs,2 crores.

The exasperation of the people over corruption could be gauged from the editorial* comments in all the local dailies. As an illustration, I would cite one such comment. It read:

There has been general appreciation of the prompt action of Governor Jagmohan in rescinding the order allotting 74 plots to former ministers and legislators. The plots were allotted by the erstwhile Farooq ministry in most arbitrary and irregular manner just before it went out of office. The allottees who were aware of the fishy nature of the allotment got these registered in their names in hush hush manner using their political influence. The Chief Minister who himself was one of the beneficiaries of this open loot managed to secure the certificate of permanent residentship which he did not possess, having lost the citizenship right after he acquired the citizenship of United Kingdom, from the district magistrate in violation of all norms and in most irregular manner. In fact, majority of the allottees were not even residents of Jammu and as such not entitled to have any plots. Already the Farooq Government had misused its power in sanctioning loans worth several lakhs for construction of houses or purchase of cars to each of the legislator. In most cases, the amount was neither spent on constructing houses nor

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on the purchase of cars.

The revelation about the allotment of these plots to the ministers and legislators in violation of norms and rules only highlights the stinking affairs of the coalition ministry which had set new records in corruption, nepotism and other acts of misuse of power. What has been revealed is not even the tip of the iceberg."

Here, it may not be out of place to invite attention to the case of Saif-ud-Din Soz, M.P. On the face of it, the matter may look trivial. But, in the larger context, it explains one of the reasons of the trade of the National Conference and Congress (I) leaders against me. My drive against corruption, which was needed for winning the goodwill of the people and blunting their sense of alienation, involved clashing with deep-rooted vested interests of the elites and the oligarchs who retaliated.

Like the Chief Minister and Ministers, Soz also got a plot allotted in Roop Nagar colony. But he was not contented it. He wanted the allotment to be changed to the still more lucrative colony of Gandhi Nagar. At this stage, I took over charge and the file was put up to me. I rejected Soz's request. I also raised the question as to how plots had been allotted to the political elites, as the usual policy all over the country was to make allotments, at fixed rates only to individuals falling in or middle income groups and that, too, on the basis of the draw of lots. It may also be noted that grant of soz's application would have conferred upon him a monetary gain of five to seven lakhs.

I intended to drive home the advantage of the favourable atmosphere created by the dissolution of the Assembly and commencement of action against corruption in high places. I gave a brief idea of my thinking to the people on TV and a radio broadcast on February 18, 1990. I assured them full justice and said.

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Trade and industry is suffering. Poor shopkeepers and weaker sections are particularly hard hit. The State is receiving bad publicity for the coming tourist season. Already the financial position of the State is precarious. Large funds have been squandered and malpractices are writ large in innumerable cases. I am making every effort to defaulters accountable, and every- make the defaulters accountable, and keep every single paisa for allocating for development. I have ordered special audit in a number of departments.

I remind you that the Indian Constitution guarantees justice—social, political and economic. I promise you this justice both in letter and spirit. I requests you to help me in creating conditions in which I will give practical shape to my promise.

Already in a short span of three weeks or so, 7,000 posts in BSF, posts of teachers, 4,300 posts of Home Guards and hundreds of other posts have been created and are being filled through an independent Selection Board. The administrative machinery has been put on the rail. Two separate Commissioners have been created for Baramulla and Anantnag and civil supplies and communication restored. We have already drawn a blueprint of reforms, reorganisation and for implementation of welfare and development programmes. Let us join hands to ensure that all these programmes are speedily implemented and let us create a situation in which no policeman is seen on the streets and they remain full of tourists and happy people.

For the last several days, there has been no day curfew, but it appears that some elements are intentionally creating trouble to frustrate efforts of all law abiding citizen attain peace. Let us not be taken in by these elements.

Reference: Jagmohan (1991), My Frozen Turbulence in Kashmir, Allied Publishers, New Delhi

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DISCRIMINATION WITH LADAKH

Sheer discrimination with Ladakh region has been going on in Jammu and Kashmir fight from the Constitution of a democratic government in the State. In order to resolve this problem, Autonomous Hill Development Council, on the patter Of Gorkhaland in West Bengal, was constituted for both districts of Ladakh. But even after that the discrimination with the region continued.

The Jammu and Kashmir Public Service Commission conducted an examination for the recruitment of KAS and KPS officers in 1997-98. One Christian, three Muslims and 23 Buddhist candidates cleared this examination. Interestingly, one Christian and three Muslims who cleared the exams were given appointment but from the 23 successful Buddhists only one person was given appointment. This one example is sufficient to gauge the discrimination being meted out to the Buddhists of Ladakh.

There is a separate cadre for the employees of State Secretariat who are called Secretariat Cadre Employees. They are about 3,500 today. A very nominal representation is from Ladakh region.

The number of State Government employees in 1996 was 2.54 lakh which increased to 3.58 lakh in 2000. About 1.04 lakh of them were recruited only during the regime of Farooq Abdullah

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as Chief Minister. Only 319 of them, which is just 0.31 per cent of the total recruitment, were from Ladakh.

The number of the employees working in public sector is 21,286. Out of it, only three Buddhists have been given job in the State Transport Corporation. No Buddhist was granted a job in the eight other PSU's.

Similarly, 24 Patwaris were recruited in the State in 1997. There was only one Buddhist among them and rest were Muslims. Similarly, 40 employees were recruited in the State education department under fourth class category and all of them, barring only one, were Muslims.

The height of injustice is seen when the Buddhist do not get permission to perform last rites of their dead one in Muslim-dominated areas. They have to take the dead body to Buddhist-dominated areas to perform last rites.

The State Government has been repeatedly making attempts to popularize this region as a hot tourist spot, but it does not take any Step to preserve and promote the local Buddhist culture, Buddhist temples and heritage sites which are endangered due to infiltration and are also losing their importance and privacy.

Since all controls of the region are done from the Kashmir Valley, the Ladakhi language and culture are in danger. The Bhoti language of Ladakh has been very rich since time immemorial. Many highly significant Sanskrit texts which are not available in other parts of the country are still safe in Bhoti language. Since the State Government has made Urdu as compulsory language, majority of the Buddhist students from Ladakh are forced to study out of the region. The Bhoti language can be preserved only by including it in the 14th Schedule of the Constitution.

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About 1600 kms long border of India lies with Ladakh. Keeping in view the strategic importance of the region the only way to protect the borders and the protection and preservation of the Ladakhi culture is to declare it a Union Territory

(Note:- The above stated facts of discrimination are taken from a book Jammu-Kashmir: Facts, Problems and Solution by Ashutosh. Recently some improvement has taken place after the establishment of Ladakh development Council. The writer of this book subscribes to the later view and doubt about the authenticity of some of the facts and figures but not as a whole.)

Sharma, G.D (2014), Plight of Jammu and Kashmir: the Unknown Files, Manas, New Delhi.

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TERROR IN DODA REGION

With the open support of their masters in Pakistan the Kashmiri separatists and terrorists are indulging in violence to continue their 'war for freedom'. Similarly, with a view to foment trouble in Jammu region too, notorious minds got together for hatching conspiracies. Aided and directed by the infamous Inter-Services Intelligence (ISI), a reign ofterror was let loose in the hilly areas of Doda and Udhampur. On August 14, 1993 in Kishtwar tehsil of district Doda, a bus plying on Sarthal-Kishtwar route was stopped and 16 Hindus were shot dead in broad day light by the masked terrorists. This was the beginning of the series of murders and terrorist violence. Similar attacks were carried out in Kulhand and Basantgarh in district Udhampur killing innocent people at will..

Healing touch' for Terrorists

At this stage, coalition government of Congress and PDP in Jammu & Kashmir and United Progressive Alliance (UPA) at the centre did not take any stern steps to curb the increasing violence in Jammu region. Rather shamelessly and ironically, adding fuel to the fire an aggravating the agony of Hindus, the then Chief Minister Mufti Mohd. Syed adopted a new policy of 'Healing touch' providing government assistance to the terrorists' families. The terrorists who surrendered were given financial assistance and employment in public and private sector. The policy of healing touch under which dastardly criminals and terrorists who carried out cold- blooded mass murders and bomb explosions were rewarded, was severely condemned throughout the country. But it had no impact on the congress and PDP. This perfidious and unabashed policy of the

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government was a huge humiliation for lakhs of unemployed and patriotic young men who, hue to their allegiance to the nation, were fighting the terrorists.

This pro-terrorist government policy led to a spurt in terrorist activities. Easy money and freebies for criminals- what a shameful governance! The terrorist violence sharply increased and on the other hand, the central and the state government showed undue haste and impatience to have dialogue with the terrorists and separatists.

Flurry of Sacrifices

RSS volunteers resolved to fight against the government policies which proved a complete fiasco in curbing the separatism and terrorist menace. Leading nationalist parties and organisations like BJP, ABVP, VHP and Hindu Raksha Samiti launched a United Hindu Awakening Campaign in which various Hindu leaders, challenging the terrorists and the proterrorists government, sacrificed their lives. The patriotic people who sacrificed their lives and became martyrs to save the honour, life and property of innocent people, were volunteers, local leaders and functionaries of BJP, RSS and similar nationalist organisations. Such patriotic people included *Satish Bhandari, General Secretary, Hindu Raksha Samiti, Kishtwar, Santosh Thakur (BJP), swayamsevaks in Bhadrawah, viz. Swami Raj Katal, Subhash Sain and Ruchir Kumar. Thakur Sewa Singh and Praveen Gupta, both teachers in Kishtwar, Safdar Ali from Basoli (BJP), Mohan Singh, Tirath Ram Shanna, Pradeep Kumar and Diwan Chand from Bhadrawah.* Various Sangh officials and functionaries visited Doda on pravas and inspired the Hindus to put up brave and resolute fight for the sake of saving dharma and the motherland. The then BJP President(state unit) and M.P. from Doda, Prof. Chaman Lal Gupta visited the entire terrorstricken region several times to boost the morale ofthe people and encourage the youth to thwart the depraved designs of the anti-national elements.

Save Doda Movement

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BJP organised a for might-long (June 23 to July 6, 1994) 'Save Doda' campaign to warn and wake up the government and apprise people of the country about the distressed Doda region, exodus anxious Hindus, terrorist hide-outs in the hilly areas with stockpiles of modern weapons, alarming rise in Pak-supported terrorist violence, infiltrations and Hindu backlash. About two dozen senior BJP leaders observed Satyagrah during this campaign.

Senior BJP leaders like Shri Atal Bihari Vajpayee, Lal Krishan Adwani, Rajmata Vijayaraje Sindhia, Dr. Murali Manohar Joshi, Sushma Swaraj, Kalyan Singh and Shanta Kumar led the movement and appealed to the government to hand over Doda region to the Army. Over 3 lakh people all over the country courted arrest and alerted the government about the gravity and grimness of the situation.

Impact of the Movement

This movement organised by BJP swung the pusillanimous government into action. The region was handed over to the army with special powers to tackle terrorism. The army cantonments were set up in Bhadrawah, Kishtwar and Ramban. A well defined organisational structure was put into place with the formation of Rural Security Committees at the village level. Though this movement forced the government to take effective measures to deal with the situation and enhanced the morale of the people of Doda and also prevented, to some extent the Hindu exodus fromthe region but it could not wipe out the monster of terrorism. The reason being that the government, undoubtedly, was found wanting in its willpower and determination, particularly, in empowering the security forces with the requisite cutting edge to demolish terrorism. jt was with this objective in mind that BJP launched another nation- Wide movement from Jammu, from June 7-15 , 2006, propelling the government to rise from the slumber and realise the enormity of the problem. It demanded more effective powers for the security forces and provision of weapons to the rural populace for their security.

Terror still persists

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Though RSS swayamsevaks have played a very significant role in Jammu & Kashmir in keeping the morale of the people high, stopping the mass exodus of people, helping the army in nabbing the terrorists and anti-nationals but the terrorism still persists in the valley due to the indecisive and week-kneed policy and appeasement politics of the governments, both central and state. the government wakes up, momentarily, after each incident of terrorist violence and mass murder and issues customary statement of condemnation. The Muslim appeasement attitude and vote bank politics of the government has completely demoralised, paralysed and let down our valiant security personnel. Even the brave and spirited people of Jammu who have fought terrorism with proven mettle have got frustrated and dejected due to the loathsome and abhorrent approach of the government. Though the terrorist outfits could not do a 'Kashmir ' in the Jammu region but they are able to Keep the fire of violence burning with Pakistani aid and abetment.

Supported by the initiative and trustworthiness of Sangh swayamsevaks the patriotic people of Jammu have organised themselves to fight the Pak-sponsored terrorism with grit and determination. There are, however, a large number of saner elements among Muslims who, out of good sense, are cooperating with the Hindus in their fight against terrorism. Muslim youth have reportedly assisted the security forces and police in smashing the terrorists ' hide-outs and network.

Many Instances have come to the fore where Muslim families in the rural areas of Doda, Poonch and Rajouri have refused to give shelter to the terrorists and some of them have even been killed. However, there is large number of fundamentalist and fanatical Muslims with pro-Pakistan leaning, in Jammu who deserting their duty to the nation and Hindu brethren, support terrorists and separatists. The most bizarre and disgusting thing is the vacillation and dithering shown by the governments in taking action against such anti-nationals.

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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THE KARGIL WAR 1999

In May 1999, Pakistan dragged Kargil into the international limelight by capturing some territory and by 'shelling' several towns and villages. This forced much of Kargil town to relocate to places outside the range of Pakistan's artillery.

In the preceding months, around 500 Pakistani soldiers had infiltrated into Indian Territory in Mashkoh valley, Drass, Kaksar and Batalik. Pakistan tried to pretend that the infiltrators were Kashmiri mujahidin (holy warriors). However, these young men were professional soldiers from Gilgit-Baltistan, had nothing to do with the troubled Valley of Kashmir and could not speak a word of Kashmiri. Many of them were martyred later.

Their bereaved parents knew the truth about where they were really from. (See 'A history of Balawaristan.') So did Mr. Bill Clinton, the then President of the USA. He states unambiguously in his memoirs, *My Life*, that Pakistan's 'dangerous standoff with India [began] when Pakistani forces under the command of General Pervez Musharraf crossed the Line of Control...By crossing the Line of Control, Pakistan had wrecked the rules.'

According to the Pakistani press, their aim was to dominate the National Highway between Srinagar and Leh and, thus, cut Siachen and Leh off from Srinagar.

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General Anthony Zinni,ll the chief of the US Central Command from 1997 to 2000, saw it thus: 'The Pakistanis waylaid the Indians and penetrated all the way to Kargil.' This threatened Indian communications and support for Siachen. The Indians, as he points out, hit back 'with a vengeance.'

Personally I don't understand why Pakistani and American analysts keep emphasising that through its actions in that war Pakistan was poised to cut Siachen off from the rest of India.

Siachen, according to one assessment, is of no strategic value. 'This kind of talk (which is quite common on seminar tables in India) to the other extreme.

The fact is that the Siachen glacier is the helmet no more, but also no less that protects India's head (i.e. Ladakh and, at once remove, the state of Jammu and Kashmir). Getting the helmet at best gives you bragging rights. The prize is always the head. Had Pakistan's ploy in Kargil succeeded it would have sliced off the head itself. Naturally, the helmet would have fallen off, too.

The battle to liberate the unguarded territory that had been stealthily captured by the Pakistanis lasted 74 days (May-July, 1999), during which 407 Indians and 696 Pakistanis were killed. (According to figures published iii 527 Indian defence personnel died? Pakistan's Prime Minister later, Mr. Nawaz Sharif was told that 2,700 Pakistanis were killed. He admits that 'regular Pakistan forces also [fought] the Indian forces' in that war) India Today estimates that the war cost India Rs .l, 110 crores ($250 million). Pakistan's finance minister put the cost to his country at $700 million.

Pakistan has officially claimed, and several times at that, that the motive behind its intrusion was to 'internationalise' the

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Kashmir issue, and that Pakistan had 'succeeded' in doing so. Absolutely, Kashmir was 'internationalised' like never before. On June 20, 1999, eight of the world's richest nations, the G-8, asked the intruders to withdraw to the Pakistani side of the line of control. They thus gave the LOC the same sanctity as an international border.

China gave its faithful ally, Pakistan, no comforts either. The four Pakistani generals who initiated the war kept their Prime Minister in the dark. When the Indian Prime Minister, Mr. Atal Behari Vajpayee, called Mr. Sharif to protest the attack, the Pakistani Prime Minister 'expressed his] desire to settle the matter directly with Mr. Vajpayee.' However, Gen. Musharraf 'was keen that [Sharif should] meet Mr. Clinton and come to a settlement, so that *hamara bharam reh jayega* (our honour will remain intact).

Mr. Sharif would later say, 'Mr. Vajpayee says that [11 had stabbed him in the back. I think, he is absolutely right.'

Meanwhile, Mr. Bill Clinton sent a special representative to Pakistan's capital, Islamabad, to persuade the Pakistani government to vacate Kargil. This was Gen. Zinni, whom Mr. Sharif described as a 'close friend of Musharraf.' Zinni met Pakistan's top leaders on the 24th and 25th June. Zinni records in his memoirs, Battle Ready, that he had told the Pakistanis that unless they withdrew their soldiers from Kargil they would 'bring war and nuclear annihilation down to [their] country.

The Pakistanis concurred with his assessment. However, the Pakistani Prime Minister, Mr. Nawaz Sharif, and his civilian advisors were not amenable to the suggestion that Pakistan should retreat from Kargil, Mr. Sharif said that such a withdrawal would be 'political suicide' for him. 'His problem,' Zinni notes, 'was maintaining face.'

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However, the then Army Chief (and, a few months later, military dictator), Gen. Pervez Musharraf, did not have elections to face. (Not that any incumbent Pakistani Prime Minister has had to either.) Gen. Musharraf advised the PM to hear Zinni out. The Prime Minister agreed.

Pakistani journalist Khalid Hassan writes, 'In other words the man who brought about [the] Kargil [conflict; i.e. Gen. Musharraf] was prepared to back down... Zinni's account reveals that the army pulled out willingly and not because of Sharif. In fact, if there was any resistance to [the] pull back, it was on the part of the prime minister not the army.' Mr. Sharif felt that at the very least the US President should give Pakistan a face-saver. This was by giving him (Mr. Sharif) an audience, after which a withdrawal from the newly occupied parts of Kargil could be ordered. However, Zinni claims, 'after I insisted, he finally came around and he ordered the withdrawal.'

Mr. Sharif called Mr. Bill Clinton and requested for an audience on the 4th of July. ('There goes yet another holiday,' the dashing leader at the other end of the line must have thought. 'Can't a guy have at least one day for his family and interns?' Mr. Sharif was worried that 'the situation Pakistan had created was getting out of control,' Mr. Clinton later noted for the record. He sensed that Mr. Sharif was hoping that he (Clinton) would, help him get off the tiger—or off the hook. (Choose whichever metaphor you will. On his part, Mr Clinton saw a man who had 'gotten himself into a bind with no easy way out.')

Mr. Clinton writes that he told Mr. Sharif that he was welcome to fly in to Washington 'even on July 4' (meaning that he would have preferred to celebrate that national holiday differently). However, Mr. Sharif was also informed that he should not expect the USA to mediate with India on Kashmir, e especially under circumstances that appeared to reward Pakistan's *wrongful incursion.*'''

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A dejected Nawaz Sharif, went to Washington hoping that the USA would give sole support to his country. Significantly, Gen. Pervez Musharraf went to the Islamabad airport to see Mr. Sharif off. Mr. Clinton, received Mr. Sharif at Blair House – and not the White House – on the Fourth of July. He noticed that the Pakistani Prime Minister was hoping to use American pressure as an excuse to rein in his own wayward – but 'powerful' – army.

Strobe Talbott, who was the USA's Assistant Secretary of State at the time, was one of the people present at the meeting. He recalls that Mr. Sharif told President Clinton, "I am prepared to help resolve the current crisis in Kargil but India must commit to resolve the larger issue [i.e. Kashmir] in a specific time-frame."

'Clinton came as close as I have ever seen to blowing up in a meeting with a foreign leader,' Mr. Talbott writes.

Mr. Clinton said to Prime Minister Sharif, "If I were the Indian Prime Minister, I would never do that. I would be crazy to do it. It would be nuclear blackmail. If you proceed with this line, I will have no leverage [left] with them." The US President added, "I am not – and the Indians are not – going to let you get away with blackmail and I will not permit any characterisation of this meeting that suggests that I am giving in to blackmail."

President Clinton also asked Mr. Sharif if he "knew how advanced the threat of nuclear war really was? Did he know, for example that his military was preparing to use nuclear missiles?" Mr. Sharif indicated that he was unaware of the military's moves. (Levy, Adrian and Scott Clark, Catherine, Deception: Pakistan, the United States and the Global Nuclear Weapons Conspiracy, Atlantic, 2007)

According to Talbott, Clinton also refuted Sharif's accusation that the Indians were the instigators of the crisis and

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intransigents in the ongoing standoff. When Sharif insisted he had to have something to show for his trip to the US beyond unconditional surrender over Kargil, Clinton pointed to the danger of nuclear war if Pakistan did not return to its previous position.

Mr. Clinton asked Mr. Sharif to pull the intruders out of Indian Territory immediately. Mr. Sharif complied – well, more or less. Pakistani scholar M.P. Bhandara notes that the above mentioned 'Washington Accord [of July 1999, between the USA and Pakistan] commits Pakistan to the "inviolability" and "sanctity" of the Line of Control. The use of these strong terms gives the LoC nearly an international- border status. This may not be the way Pakistan interprets it, but this may well be the interpretation of the Security Council members and the world at large.' (The Dawn, Karachi, Pakistan, August 1999.)

It certainly was that of the USA – and also its President's reading of how the LoC was regarded by the world at large. Mr. Clinton was of that since 1972, the LoC 'had been the recognized and the opinion generally observed boundary' between Pakistan and India in Jammu and Kashmir.

Country after country, including the USA, praised India for its military 'restraint' during the 1999 war, and for not having retaliated by attacking
Pakistan.

India, thus, won the war on the military as well as diplomatic fronts. And the people of Kargil won the peace.

Reference: from the book " A History of Jammu" by Parvez Dewan.

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DREADED TERRORISTS EXCHANGED FOR HIJACKED PASSENGERS DECEMBER 31, 2000

On December 31, 2000, three detained dreaded terrorists, namely undergoing trial in different Courts in Delhi, Srinagar and Jammu were released unconditionally on the direction of the NDA Govt. headed by Shri Atal Bihari Vajpayee to secure the safe release of 154 Indians held hostages in the hijacked Indian Airlines aircraft by the ISI terrorist. NDA Ministers Mr. George Fernandes and some others rushed to Srinagar to persuade Dr. Farooq Abdullah to release two of the militants from Srinagar and Jammu jails, that too on Sunday, a holiday The two militants namely, Mohd. Masood Azhar was released without any authority of law from Kot bhalwal Jail, Jammu and Mushtaq Ahmed Zargar was handed over to the Central agencies who was lodged in Srinagar Central Jail. Third one Ahmed Umar Sheikh was picked up from Tihar Jail Delhi.

The entire operation to transport the three militants to Kandhar was marked by secrecy. They were flown to Kandhar with the then External Affairs Minister, Mr. Jaswant Singh, after an agreement was reached with the hijackers for the safe return of the passengers. Hijackers were never identified.

Azhar came to Delhi in January, 1994 via Dhaka on a forged Portuguese passport, to supervise the merger of the two militant outfits; Harkat-Ul-Mujahideen and Harkat-e-Jihad-e-Islami (HUJI) under a new name of Harkat-ul-Ansar.

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Ahmed Umar Sayeed Sheikh, a 28-year-old Harkat-ul-Ansar militant, was a British national of Pakistani origin. His brief was toabduct foreigners, to secure the release of Mohammad Azhar and other Harkat leaders lodged in the Indian jails. He was arrested on October 31, 1994 and lodged in Tihar jail.

This was a blunder of the NDA Govt. that a Union Minister carried three dreaded militants in his aircraft to Kandhar, capital of Afghanistan. The Govt. committed not only a blunder but infringed the constitutional mandate and rule of Alaw by releasing the terrorists without following the procedure established by Law. That too worked as moral boost to the terrorists.

Reference: From the book " My frozen trubulence in Kashmir" by Jagmohan

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SUBVERSION OF RULE OF LAW

(Dr. Farooq Abdullah as CM 1996-2002)

(A GREAT STEP IN THE AID OF MILITANCY)

The subversion of rule of law is one of the major contributory factors for the rise and sustenancy of militancy in the State of Jammu and Kashmir. All the pillars of democracy that is the Executive, the Legislature the Judiciary and the Press were infected by this virus. The main casualty has been the Legislature which mainly controls the state Executive wing. The most glaring examples of this sad and shameful of affairs is the sensational case of kidnapping of Dr Rubaiya Sayeedthe daughter of the then Home Minister of the Government of Minister Mufti Mohammad Sayeed (who later on became the Chief of the coalition government in the State from 2002-2005) followed by the other case relating to the massacre of Air Force personnel Dr Rubaiya was kidnapped by the militants in 1989 when her Father was the Home Minister of the Government of India under VP singh's rule. The CBI after investigating the case presented the Challan before the Presiding Officer Special Designated Court under TADA/Pota Jammu. Militant Organisation by the name of JKLF which was as Unlawful Association in 1990 through its supremo Yasin Malik along with other top ranking militants are alleged to have kidnapped her. The State Government under the pressure of militants and at the direction of the Central Government had later released 5 hardcore militants of JKLF in lieu of Dr Rubaiya Sayeed's release and this illegal and unwarranted release emboldened the militants and the subdued movement Of militancy was taken to its zenith. In other words, many people in the country have the

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opinion 'that this case was the turning point in the history of militancy to give the militants an upper hand in order to destabilise the dully elected government. The other case relates to the killing of Air Force Officials at Batmaloo and this incident had occurred in the month January 1990.In this case also top ranking militants such as Yasin Malik and his associate were involved. It is horrifying to note that the accused stand bailed out in these two cases as well as in other such like cases where thep unishments prescribed for the alleged heinous crimes are death sentence or life imprisonment. Such type of cases remained pending for decades even at the preliminary stages of framing the charges or recording the prosecution evidence. In most of the cases acquittal orders were passed as the prosecution witnesses were won over. The Presiding Officer of the Special Designated Court has taken a serious note of this deliberate delay which stands reported in the Daily Excelsior in its issue of 29 January 2006.

After the spurt of militancy and ouster of the rule of Dr. Farooq Abdullah in 1990 till his coming to power again for the third time in the month of October 1996, the facts and figures of the militancy related incidents are given below:

During Governor's Rule (1990 to September

1. During the intervening night of August 13/14, 1993, at a place known by the name of Sarthal (in Doda district), seventeen Hindu pilgrims while on their way to the temple of Sarthal Devifrom the town of Kishtwar were massacred in a passenger bus.
2. On January 5, 1996, sixteen Hindus were killed by the militants in a village known as Barshala of Doda district.
3. On January 12, 1996, seven Hindus were killed by the militants near the town of Bhaderwah in district Doda district.
4. On May 6, 1996, seventeen Hindus were massacred bymilitants in broad-day-light in the village of Sumbar in tehsil

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Ramban of erstwhile district Doda and now district Ramban.
5. Between the intervening periods of June 7 and 8, 1996, in Kalmari village situated in district Doda seven Hindus werekilled in broad day light.

Militancy Related Incidents 'During 'Dr Farooq Abdullah's Regime (October 1996 to July 13, 2002).
1. On March 20, 1997, in village Sangrampura (district Budgam) in Kashmir valley seven Kashmiri Pandits were killed.
2. On June 15, 1997, Kashmiri Pandit migrant teachers were butchered by maing them to malight from a passengrr bus near the town of Gool of Mahore tehsil district Ramban in Jammu Division.
3. On September 24, 1997, eight Hindus were killed in village Swardi of district Rajouri.
4. Between the nights of 25/26, January 1998, in village Bandhama (teshil Gandharbal) in Kashmir Valley twenty-five Kashmiri Pandits were killed.
5, On January 30, 1998, nine Muslims who were not following the diktats of the militants were killed in village Navapachi of district Doda.
6, During the intervening night of 18/19 April 1998, in village Prankot of erstwhile district Udhampur (now district Reasi) twenty-seven Hindus were butchered by slitting their throats with sharp edged weapons.
7. On May 5, 1998, in the town of Swarankot of district Poonch, five Hindus of the same family were killed.
8. On May 6, 1998, eleven Hindu members of the Village Defence Committee were killed in village Dassa in district Doda.
9, On June 19, 1998, in village Chapnari of district Doda twenty-five Hindus of a marriage party including the bridegroom were killed.
10. Between the intervening nights of 27/28, 1998, in two villages of distric Doda by the names of Sanna and Shravan twenty-five Hindu were killed.
11 .On August 4, 1998, twenty-one patriotic Muslims were killed

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in village Buflayaz of district Poonch.

12. On August 8, 1998, in Kalaban Jungle of Himachal Pradesh falling near the boundary line of J&IC State thirty-five Hindu labourers were killed.

13. On February 2(), 1999, four Hindus in village Morapura in district Rajouri and seven Hindus in village Buriyara falling under Udhampur district and seven Hindus in village Belala of Rajouri district were massacred by gun fires.

14. On June 20, 1999, fifteen I linclu labourers of a brick-kiln were Killed nearby the town of Anantnag in Kashmir Valley.

15. On July 1 9, 1999, fifteen I were Killed in village Layota of district Doda.

16. On February 28, 2000, five Hindu truck drivers were killed near the town of qazigund on the national Highway in Kashmir Valley.

17. On March 20, 2000, in village Chattising Pura of district Anantnag forty Sikhs were killed and most of the victims were the family members of those persons whose male , members were working in Intelligence Agencies.

18. On August l, 2000, near the National Highway between Banihal and Qazigund nineteen Hindu labourers working in abrick-kiln were shot dead after making them to stand in a queue.

19. On August 2000, in village Pogal of district Doda fourteenHindus were killed and in village Kung near Ramsoo of district Doda nine Hindus were killed.

20. On August 2000, in village Bayal Bashal near the town of Kishtwar of district Doda the militants while bearing the uniforms of army personnel killed eight Hindus who were the members of Village Defence Committee.

21. On November 24,2000, in village Patti Mahal of tehsil Kishtwar in district Doda six Hindus were abducted from a bus who were taken to a jungle and five of them were killed butluckily one abducted person succeeded in running away from the place of massacre.

22. On August 7, 2001, in Railway Station of Jammu Tawi five

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personnel of the para-military forces and seven civilians werekilled while thirty-four were injured. One militant was also killed in retaliation by the forces.

23. On August 24, 2001, seven police jawans were killed in anattack made on the police station in the town of Poonch.

24. On 2 September 2001, one police jawan was killed and eleven were injured in an attack made on District Police Line,Poonch.

25. On October 25, 2001, in the town of Banihal of district Doda, two army jawans were killed while eight were injured,

26. On November 18, 2001, in the town of Ramban of erstwhile district Doda, ten army jawans and three civilians were killedwhile twenty-nine jawans were injured and four civilians were also injured.

27. On November 25, three army jawans were Killed in an JED explosion.

28. On January 13, in village Khanetar of district Poonch, two army personnel were while were killed while three were injured.

29. On February 17, 2002, eight civilians were killed in village Banihal of District rajouri.

30. On March 30, 2002, in the city of Jammu, nine civilians were Killed and nineteen were injured. In this operation two militants were also killed.

31. On April 8, 2002, in the town of Udhampur, five civilians were killed and four were injured.

32. On May 14, 2002, in the military establishment known by the name of Kaluchak near the city of Jammu, thirty-four family members of the army personnel were killed whereas, forty-seven were injured.

33. on June 15, 2002, in village Khodakatwara of district Doda four Hindu pilgrims were killed.

34. Between the intervening night of 15/16 June 2002, in village Ind of erstwhile district Udhampur (now district Ramban), five persons were killed. After a gap of one year the Police-Post Ind was attacked and eleven police personnel were killed by the militants.

35. ()n July 13, 2002, in a colony known by the name of Sunjay

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Nagar/Qasim Nagar situated near the city of Jammu twenty-seven Hindus were killed and more than two dozen were injured.

36. The most revered Hindu temple known by the name of 'Raghunath Mandir' situated in the heart of the Jammu city was attacked on November 24, 2002 and in this attack 14 people including the security personnel were killed. Despite all the security arrangements, after a gap of few months the temple was again attacked for the second time and in this gory and fiendish act the militants had succeeded in defiling the deity of Lord Hanuman. One militant was also killed in one of these two attacks.

Besides the above stated incidents, there was also an attack on the military establishment known as 'Sunjawa Cantonment' which is situated in the outskirts of Jammu city. The militants had got the logistic support from the subversive elements settled in those illegal colonies part of Sidhra, Bathindi and Sunjawan. Besides the above stated incidents of militancy, an additional list of such incidents is reported hereunder from the publication made in the national newspaper The Times of India in its issue of Tuesday May 2, 2006 (Late '"City Edition). These incidents are: that on February 28, 2000, 5 Hindus were Killed in Anantnag district; on August l, 2000, 27 Hindu labourers were in Anantnag Killed district and 31 Amarnath pilgrims were shot dead in Pahalgam. On august 2, 2000, 11 Hindus were killed in Doda district. The militants have not even spared the pilgrimsof Baba Amarnath shrine and Shri Mata Vaishno Devi shrine. OnAugust 6, 2002, nine of Amarnath pilgrims were shot dead at a basecamp near Pahalgam. On February 11, 2001, 15 members of Gujjarfamilies were killed in Rajouri district. On March I17, 2001, eight Hindus were killed in Doda district. On July 21, 2001, seven Amarnath pilgrims among thirteen were killed in Anantnag. On A[pril 5,2004, seven were killed in district Anantnag. On March 4, 2003, 24Hindus were killed in Pulwama district. On January 7, 2002,seventeen Hindus

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were killed in Jammu district. On July 22, 2001, 15Hindus were killed in Doda district. On August 4, 2001, 15 Hinduswere killed in district Doda. In the local newspaper Daily Excelsior,veteran BJP leader Prof Chaman Lal Gupta ex-State Defence Minister Government of India of NDA regime gave his interview after visiting the sites of two massacres of Hindus carried on 31 April, and 1 May2006 in the hilly areas of district Udhampur and Doda. He commented that government had made Village Defence Committees defunct defence bodies by not distributing them the salaries of Rs 1,500/- per month each as well as by not providing additional strength of three special police officials with each defence village committee. He said that the adoption of the policy of the previous government (National Conference) was keeping militancy alive in these areas. He also stated that 800 civilians had been killed in Doda district so far from the onset of militancy and during this long spell of 16 years till date the government had been able to provide relief to approximately only to 450 families who were the victims of the militancy.

When militancy raised its ugly head in Kashmir Valley in 1989-90, the Hindus and Sikhs were forced to become migrants and more than three lakhs became the migrants who took shelter in Jammu, Delhi and in other parts of the country. Along with them some migration of civilians hailing from majority community also took place who in the eyes of militants were hardcore nationalists or had not cooperated with them. After 1994-95, because of the spurt in militancy in the Jammu region, about fifty thousand Hindus became migrants from the hilly areas of district Doda, Rajouri, Poonch and tehsil Gool-Gulabgarh from erstwhile district Udhampur. The after effect of Kargil war was tension on the borders and because of heavy firing from Pakistani pickets on the civil population of the State, about one lakh people residing in the border areas Of the Jammu region were forced to leave their hearths and homes. There is a long list of such incidents where the militants have eliminated even whole families belonging Co Che minority community of

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Hindus as well maj01ity cojonjunicy of Muslims who had refused to give them shelter, food, or did not render them logistic support or had become suspects in their eyes being the informers of the security forces.

In Kashmir region, the militants have killed more civilians in numbers belonging to majority community than belonging to minority Community On May 1, 2006, twenty-two Hindus were killed in village Kulhand of district Doda. This is the third biggest massacre in numbers done in district Doda after the onset of militancy beginning from 1990. besides this, a heart wrenching incident had also taken place wherein thirteen Hindus were killed in a place known as Lolan Galla situated at the upper reaches of Basantgarh of tehsil Ramnagar, district Udhampur. These two incidents took place on the intervening night of April 31, and May l, 2006 respectively. The above stated incidents establish the cavalier and casual mode of governance as well as lack of honesty in giving the fair administration. The existence of cogent and convincing evidence establishes the fact that not only the government led by by Dr Farooq Abdullah but his successor coalition government of Mufti Mohammad Sayeed and Congress have also contributed towards the sustenance of the militancy by remaining soft towards the militants and in this manner indirectly helped them from being caught in the clutches of law. The above stated two incidents had taken place when Ghulam Nabi Azad was the Chief Minister of the coalition government PDP support in the State

Reference: From the book " My frozen trubulence in Kashmir" by Jagmohan.

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PAKISTAN OCCUPIED JAMMU KASHMIR - PRESENT STATUS, CONCERNS AND ISSUES



Pakistan Occupied Jammu Kashmir and Northern Area

Historical Perspective

Jammu and Kashmir is strategically most important and historically and geographically unique state of India. The state of Jammu and Kashmir (including POJK and areas underChinese occupation) came into present form of political structure as an entity, in the formof state on March 16 ,1846. On this date a treaty known as Amritsar treaty was signed by Maharaja Gulab Singh and British Government. The areas lying on the right side of River Indus were annexed during the rule of Maharaja Ranbir Singh. The Annexation of these areas was approved by British government.

The state of Jammu and Kashmir at the time of Maharaja Ranbir singh was administratively divided into provinces of:-

- Jammu

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- Kashmir
- Ladak
- Gilgit and Frontier Illaqua

After the independence of Bharat, In 1947, on 26 October 1947, the ruler of Jammu and Kashmir Maharaja Hari Singh acceded to Union of India. The further ratification of accession of Jammu and Kashmir with India was done by democratically elected institution of constituent assembly of Jammu and Kashmir on February 15, 1954 by ratifying it. The state of Jammu and Kashmir, which was acceded to India in 1947 is divided into two parts viz

- Jammu and Kashmir (which is in possesion of India) and
- Pakistan Occupied Jammu Kashmir which & Northern areas now renamed as Gilgit Baltistans

The area consisting the Jammu and Kashmir is :

Total area of Jammu and Kashmir	222,236 sq km
Area under illegal Pakistani Occupation (POJK=So called AJK+Gilgit- Baltistan)	78114 sq km
Area of Jammu and Kashmir under Chinese Occupation	42,685 sq km
Area ceded to china by Pakistan	5130 sq km
Total area under Pakistan and China	120799 sq km
Total area with India	101437 sq km

Salient Features of Gilgit Baltistan

Population : Approximately two million
Capital : Gilgit
Districts : seven

Baltistan Region is divided into Gangche and Skardo districts
Gilgit Region is divided into Astore, Diamer, Ghizer, Hunza-

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Nagar and Gilgit districts

Ethnic Groups: Shin, Balti, Burushu, Puriki, Ladakhi, Wakhi, Yashkun, Tibetan, Mongol, Tatar, Mon, Khowar, Dom, Gujjar and Kashmiri

Religious Groups: Shia (Twelvers), Nurbakhshi (Twelvers), Shia-Ismaili, Sunni, and Ahlehadith

Languages: Shina, Balti, Wakhi, Khowar, Gujjari, Burushaski, Puriki, Kashmiri

Literacy rate: 15% male; 3.5% female (World Bank estimates of 1997)

Per Capita Income: Per capita per annum income of Gilgit-Baltistan is around one-fourth of Pakistan's
average (US$264 compared to Pakistan's US$ 1,071).

State of Infrastructure: More than two-thirds of the villages lack potable water, electricity, telephone,
health units, girls' schools, paved roads, ration depot, and pony tracks.

There are no local dailies or local radio or television station.

There is Just one doctor for 6000 people.

Source- Institute for Gilgit Balstian Studies

Gilgit Baltistan – At a glance in 2012

Unconstitutional move of illegal assembly of Gilgit-Baltsitan

The Gilgit-Baltistan Legislative Assembly (GBLA) on 11 September 2012 approved a resolution demanding complete provincial status for the Gilgit – Baltistan region. The move of the assembly received great amount of criticism from within Gilgit-Baltistan and other parts of the world.

Opposition

MLA Nawaz Khan Naji, Supreme Leader of the Balawaristan National Front – the only nationalist leader in the house, opposed the bill. He said that the resolution is useless because the status of GB is tied with the resolution of Kashmir dispute,

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which is pending at the UN for almost 6 decades.

Leders of Kashmir National Party leaders Abbas Butt,Zubair Ansari and Dr Shabir Choudhry in a joint statement reiterated KNP stand that Gilgit Baltistan is legal and constitutional part of State of Jammu and Kashmir; and the entire state is disputed and forcibly divided and occupied. the state of Jammu and Kashmir is one political entity and must not be divided in any form or shape. Whatever the future statusof the state it must remain united; and any attempts to divide it will be opposed as it will be disastrous for Jammu and Kashmir State and the entire region of South Asia.

Source- ANI News Dated , September 13. 2013, Geneva

Other Jammu Kashmiri nationalist and other political groups have also opposed the resolution, calling it an effort to divide the "undivided stat of Jammu and Kashmir".

Human Rights violation in Gilgit Baltistan

Sectarian Killings in Gilgit Baltistan during 2012.

1. The Kohistan Killings, February 28, 2012: In hindsight - 18 killed

2. The Massacre at Chilas, April 3, 2012: 15-20 killed Source- IDSA Report

3. 25 Shia killed in Lalusar on 16th August 2012, while they were travelling in Bus

Source- http://tribune.com.pk/story/423357/parts-of-gilgit-baltistan-shut-down-toprotest- shia-killings/

4. According to a report published by International Human Rights Organization around 100 people died and 23 injured in Gilgit Baltistan due to Sectarian Violence.

What people said about Human rights Violation in Gilgit

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Balstian

1. The UN Secretary-General Ban Ki-moon issued a statement and strongly condemned the killing of 20 Shia Muslims in a bus attack in northern Pakistan.

2. The United Nations High Commissioner for Human Rights Pakistan, Navi Pillay, to Pakistan expressed deep concern over rampant rights violations, especially imprisonment and torturing of nationalist political leaders and workers in Gilgit-Baltistan.

3. According to International Human Rights Organization "Increased lawlessness in Gilgit-Baltistan has put a question mark on the efficiency and ability of the novice government, the enforcement agencies and all organizations working for maintenance of peace in the region.

4. According to Abdul Hamid Khan, chairman of BNF, more then 900 youth have been killed, 1000 had become disabled or wounded while 40 are still missing and several building were destroyed due to Pakistan sponsored terrorism.

Abdul Hamid also stated that political and human right activities were completely denied by Pakistan and result of which more than 1000 politically active people were facing sedition cases no impartial judicial system existed in Balawaristan".

China's Presence in Gilgit Baltistan

Peoples Liberation Army of China attacked Gilgit Baltistan in 1949 and occupied Shimshal, Aghil, Raskam and Shaksgam valleys. As Indo-Soviet relations grew stronger, it forced Pakistan and China to establish a strategic alliance. However, the alliance did not come without Gilgit Baltistan sacrificing additional 5,800 square kilometers of Shimshal and Raskam

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valleys to China in 1963. The local chieftain protested Pakistani unilateral decision but in vain. Very soon after that, thousands of Chinese soldiers and workers arrived in Gilgit-Baltistan to construct the Karakoram Highway. When the highway was completed in 1978, it enhanced Pakistan's control over Gilgit-Baltistan and helped her use the transportation network to infiltrate into Indian Kashmir. At the same time, it enabled China an easy access to the warm waters of Indian Ocean. Through Gilgit-Baltistan, now China could secure safe and short access to South Asia, Africa and Middle East. Since then, hundreds of thousands of Chinese tourists, soldiers, engineers, merchants, students and pilgrims have used the Karakoram Highway as a transit route. In addition, Chinese military officials pay regular visits to the Field Command Office of Gilgit where the Pakistani military headquarter is established. Encouraged by Pakistani authorities, Chinese companies continued construction work on roads and bridges in different valleys of Gilgit- Baltistan. Geo-strategic importance of Gilgit-Baltistan increased manifolds after Pakistan and China agreed to construct Gwadar port in the Persian Gulf. As China realized that it could use the Karakoram corridor to maximize import of fossil fuels, copper and iron ores, which sustain her economic development; it embarked on a plan to convert the Karakoram Highway into an expressway, build a railway parallel to it and pass oil and gas pipeline through the series of tunnels that it is boring in the Karakoram mountain range. Below is a list of China sponsored initiatives in Gilgit-Baltistan.

- China specific industrial and economic zone in Gilgit and along the Karakoram Highway
- Development of mineral and precious stone excavation projects
- Sadpara Dam and Land Development Project
- Minawar Land Development Project
- Bunji Dam (7000 MW)
- Yulbu Dam (3000 MW)

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- Diamer Dam (4500 MW)
- Naltar power project
- Shagarthang power project
- Construction of Gilgit-Skardo Highway
- Concrete bridges over Indus River
- Pratab bridge
- Several tunnels in Hunza district
- Chinese consulate in Gilgit city
- Sost dry port
- Chinese banks opening branches in Gilgit-Baltistan
- Cross-border cable and fiber optic network
- Chinese telecom companies ZTE, Zong and Huawei managing telecom sector of Gilgit-Baltistan
- Railway project
- Karakoram Expressway
- Oil and gas pipelines

These projects will remain in supervision of more than ten thousand Chinese workers belonging to the construction corps of PLA. China has also stationed a unit of PLA soldiers near the Khunjerab Pass, which may assist their workers and provide security in case Pakistani security apparatus fails.

Source : Institute for Gilgit Baltistan Studies

Demands of the people of POJK

- The people of POJK have resented Chinese presence in POJK.
- In 1963, the people of POJK protested against Pakistani move to have a pact on Karakoram road to China.
- The people of POJK fear that the China may take over POJK by 2020 . A Delegation from POJK at the Institute for Defense studies and Analysis in 2009 expressed their suspicion that Sunni majority Pakistan and communist China may exterminate the Shia majority in Gilgit – Baltistan to silence all opposition to their policies.
- A NewYork Times article by Seig Harrison states that at least 7000-11000 Chinese troops have been stationed in Gilgit-

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Baltistan region of POJK.

- In case Pakistani control over POJK becomes ineffective, Chinese may take over strict control over Gilgit -Baltistan. That seems the reason behind the presence of Chinese troops in POJK.
- The Gilgit-Baltistan United Action Forum has emerged to take on Pakistani government in northern areas.
- The Gilgit - Baltistan united Action forum for self- Rule has been demanding the right to self- rule.
- Muttehada Qaumi Party wants to attain a status comparable to that of AJK'.
- Abdul Hamid khan, Chairman Balawaristan Nation Front, called upon united nations and international court of Justice to book Musharraf and other Pakistani Generals as "war criminals for genocide" carried out by them in northern Areas (Times of India, Aug-3-2001)
- On 20 January, 2010 International council Jammu Kashmir National Awami Party (IC JKNAP) leaders demand that Pakistani state must immediately move out its troops from populated Areas of POJK as soon as possible.
- In 2006 students from Gilgit-Baltistan in POJK demanded reservation for seats in Indian institutions like I.I.T.s & I.I.M.s. (www.rediff.com.cews/2006/may/)

China in Pakistan Occupied Kashmir

- China is connected to Pakistan by the Karakorum Highway (KKH).
- 580 Kms. Of Karakoram Highway runs through Gilgit-Baltistan region of the POJK.
- Karakoram Highway has been used for illegal transfer of nuclear material from China to Pakistan.
- Hydel projects of comat dam and rising of the heights of Mangla dam in POJK are being worked out by China.
- Zhejiang Design Institute of water conservancy and hydro-

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electric power of China has carried out feasibility studies for building small and medium sized dam. China is considering constructing highways, railways through POJK, paper visa to people traveling to China from Jammu and Kashmir by Chinese Government was an attempt to project the status of J and K as a disputed territory.

- Security implication of Chinese presence in POJK is extremely huge.
- Recently there was report of presence of Chinese troops in POJK.
- Emma Nicholson report titled, "Kashmir: Present situation and future prospects" adopted by European Union on May 24, 2007, also brings China into the picture by noting that the Trans Karakoram tract, formerly a part of the princely state of Jammu and Kashmir is now under Chinese control.

Forgotten Migrant of POJK

In view of partition of India in 1947 and Pakistan sponsored tribal attack on J&K, a large population from the affected areas was displaced. These people were termed as the Displaced Person from POJK by the then Government headed by Sheikh Mohd Abdullah. Since after the January 1949 cease fire, the POJK areas have not been still retrieved back, so the POJK displaced persons have still not been able to go back to their homes. Most of the POJK DPs were non Muslims. Almost all the POJK DPs were settled in Jammu Province of the state. A few of these persons also went outside of J&K to other Indian States. Subsequently, there were two more phases of movement after the 1965 and 1971 wars between India and Pakistan. Not only this, these migrants who belonged to POJK until 1947, were forced by the Pakistani Army and its raiders to migrate to the Indian side of 'line of control' and then were again coerced by the state government of J&K to migrate to other parts of India.

These POJK DPs have remained neglected all these

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years. Even those who belong to cold climate areas in POJK were made to settle in Jammu Province. The persons who migrated during the partition of India and Pakistan in 1947 from West Pakistan were given the status of 'refugee' and settled by the Indian government elsewhere in the country. But persons migrated from POJK (mainly from Muzafarabad and Mirpur areas) are yet to be settled and live even today without 'refugee status'. The government's position has been that, since they have migrated from POJK, which is legally a part of India so they are not technically qualified to be categorized under the 'refugee' bracket.

Hence they cannot claim the benefits of refugees. For the same legal reasons, the Indian government has refused to pursue the compensation that is supposed to be given to those people in Mirpur, whose properties have been submerged due to the construction of the Mangla Dam, funded by the World Bank. Due to the settlement politics initiated during Sheikh Abullah's period, persons those migrated from POJK even today live as 'tenants' in the Jammu region of the state. Today, there are more than 1,20,000 people staying in and around Jammu with no political status, nor with and promise from the State and Union government on where they stand in the Kashmir conflict. It is most unfortunate that this section has been left outside the purview of both the Round TableConference. Most members of this 'double - exiled' community have their roots in erstwhile prominent towns of POJK like Muzaffarabad, Mirpur, Bhimbar, Kotli and Dev Batala and numerous villages around these towns.

These POJK Displaced Persons have neglected all these years.

1. No claims of the properties left behind by them in POJK have been given to them like other refugees from Pakistan.

2. There has been no regular exercise done by GOI or J&K

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for the registration or number count of the families displaced from POJK and those killed during the disturbance. A small part of this segment was registered for the ex-gratia relief (amount was very small). Only those who qualified for ex-gratia relief and submitted for the application had their names in this list. The number of such applications was around only 31600 as per the official sources.

3. No any special assistance like reservation in services or educational institutions or subsidies on financial support from the government financial institutions etc has been given to them.

Even the small ex-gratia assistance in 1960s was adjusted against small accommodation provided to them.

Complant of Discrimation

1. POJK DPs have started complaining of discrimination against them in addition to neglect of their cause after 1990 migration of people of Kashmir Valley. They have a started demanding even compensation for the support (as has been provided to Kashmiri migrant) not provided to them over the year and (i) reservation in services and education (ii) economic back up like loans / subsidies etc (iii) the accumulated appreciated value of assets left behind by them in POJK (they can surrender the property rights in favor of government)

2. India has fought wars with Pakistan in 1965, 1971 and 1999. Most of people who got affected due to these belong to Jammu region and Ladakh region. As regard Jammu region India surrendered some more areas to Pakistan, particularly Chammb areas. Here too bulk of them was non Muslims. The question liberation of POJK as of 1947 has still remained unresolved till date and instead some more areas have been surrendered to Pakistan.

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Resolution passed unanimously in both Houses of the Parliament of India

"This House"

Notes with deep concern Pakistan's role in imparting training to the terrorists in camps located in Pakistan and Occupied Kashmir, the supply of weapons and funds, assistance in infiltration of trained militants including . foreign mercenaries into Jarrimu and Kashmir with the avowed purpose of creating disorder disharmony and subversion:

Reiterates that the militants trained in Pakistan are indulging in murder, loot and other heinous crimes against the people, taking them hostage and creating an atmosphere of terror; Condemns strongly the continued support and encouragement Pakistan is extending to subversive and terrorist activities in the Indian state of Jammu & Kashmir; Calls upon Pakistan to stop forthwith its support to terrorism, which is in violation of the Simla Agreement and the internationally accepted norms of inter-State conduct and is the root cause of tension between the two countries; Reiterates that the Indian political and democratic structures and the Constitution provide for furn guarantees for the promotion and protection of human rights of all its citizens; Regards Pakistan's. anti-India campaign of calumny, and falsehood as unacceptable and deplorable.

Notes with deep concern the highly provocative statements emanating from Pakistan urges Pakistan to refrain from making statements which vitiate the atmosphere and incite public opinion Expresses regret and concern at the pitiable conditions and violations of human rights and denial of democratic freedoms of the people in those areas of the Indian State of Jammu and Kashmir, which are under the illegal occupation of Pakistan; On behalf of the People ofIndia, Firmly declares that:

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a) The state of Jammu & Kashmir has been, is and shall be an integral part of India and any attempts to separate it from the rest of the country will be resisted by all necessary means;
b) India has the will and capacity to firmly counter all designs against its unity, sovereignty and territorial integrity; and demands that
c) Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression; and resolves thatd)
All attempts to interfere in the internal affairs of India will be met resolutely.
The Resolution was unanimously adopted, Mr. Speaker: The Resolution is unanimously passed.
February 22, 1994

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Amarnath Land Agitation



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ASSAULT ON DOGRIYAT

By : Brig Anil Gupta

Jammu is once again on the verge of explosion due to the recent attempt of imposing Kashmiri language in Jammu region. Some eminent thinkers and members of the civil society have labelled it as "Cultural Invasion". To my mind it is much more than that. It is continuation of the politico-communal strategy adopted by the Kashmiri Muslim leadership to supress the Dogras and anything to do with the rich Dogra heritage. It all began in the third decade of the twentieth century when a few Kashmiri Muslims under Sheikh Mohammed Abdullah joined to form Reading Room Party followed by Muslim Conference that later split into National Conference. It was on June 21, 1931 that the YMMA (Young Man's Muslim Association), led by Sheikh Mohammed Abdullah, planned a public meeting at Khanqah-i-moulla. It was a unique meeting because all Muslim leaders of all hue and cry and irrespective of their schools of thought assembled there. The meeting was addressed by Abdullah himself. He asked all Muslims to unite against the Dogra rulers. All leaders swore in the name of the Holy Book that they would remain faithful to the cause of Islam. Khawaja Saad ud din Shawl, Mirwaiz Moulvi Yousuf Shah, Mirwaiz Moulvi Hamdani, Chowdhury Ghulam Abbas, Agha Syed Hussain Shah Jalali, Khawaja Ghulam Ahmad Ashai, Munshi Shahab-ud-din, Sheikh Mohammad Abdullah, and Sardar Gohar Rahman were elected as representatives of the Muslims, majority of them Kashmiri Muslims.

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The seditious speech delivered in this gathering by an outsider named Abdul Qadeer Khan instigating the gathering to rise against the Dogra Hindu Maharaja sounded the first bugle of revolt against the ruler of the state of Jammu & Kashmir that included Jammu, Kashmir, Ladakh and the remote areas of Gilgit, Baltistan, Hunza , Nagar and Chilas. Sheikh Abdullah thereafter took the reins of revolt in his hands and launched the Quit Kashmir movement. This movement itself was communal because the Kashmiri Muslims wanted the Dogra Hindu Maharaja to quit the Muslim majority Kashmir and were not demanding the abdication from the entire State. Through their venomous speeches the Kashmiri Muslim leaders created anti-Dogra Hindu sentiments in the mind of local Kashmiris. It was ingrained in their psyche to perceive Dogras as representative of their alleged oppression by the Dogra rulers. As the subsequent events unfolded and Sheikh Abdullah wrested absolute power in the State, anti-Dogra mind-set began to manifest. Many subsequent decisions taken by Sheikh were a reflection of this manifestation. In many decisions he enjoyed the support of his trusted friend and political mentor, Pandit Jawaharlal Lal Nehru.

Sheikh and his team had made up their minds to destroy all symbols of Dogra Rule in the State. With the cooperation of Nehru, Sheikh succeeded in becoming the Prime Minister of the State and undermine the Royal Authority to the extent that led to unceremonious exit of the Maharaja from the State. Accession Day, a major historical event of integration of the princely state with independent India, was not given due recognition but made an issue of dispute. The first major attack on the Dogras thereafter came in the form of so called Agrarian Reforms that were aimed at depriving the Dogras of their large land holdings. The Dogras took it sportingly in the larger interest of the State.

The people of Jammu region spoke Dogri language which had its own script called Takri while Kashmiri was

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popular with Kashmiris of the Valley and had Sharda as the script. Urdu was not the mother tongue of any ethnic group of the state. However, Sheikh decided to continue with Urdu as the official language of the State on the plea that even during the Dogra rule it was the official language. It surprisedmany because Sheikh was keen to demolish all symbols of the Dogra rule. The real intention of Sheikh, however, was different. He wanted to kill the Dogri language and Dogriyat. Urdu had a script which was the same as Arabic and Persian, with which the Muslims identified themselves with a view point of religion. Sheikh wanted to use Urdu as a symbol of Muslim identity and for furtherance of "ummah" ideology that had its roots in Aligarh Muslim University, alma mater of Sheikh. Gradually, Urdu emerged as the preferred language of the Muslims in the state and Hindus preferred Hindi. The Kashmiri leadership has succeeded in using religion as a binding force instead of language which usually binds people together in an ethno-diverse society as it exists in our state. The Dogras slowly began to lose in government jobs since they did not know Urdu language and neither Dogri nor Hindi, preferred languages of the Dogras, were recognised as official languages.

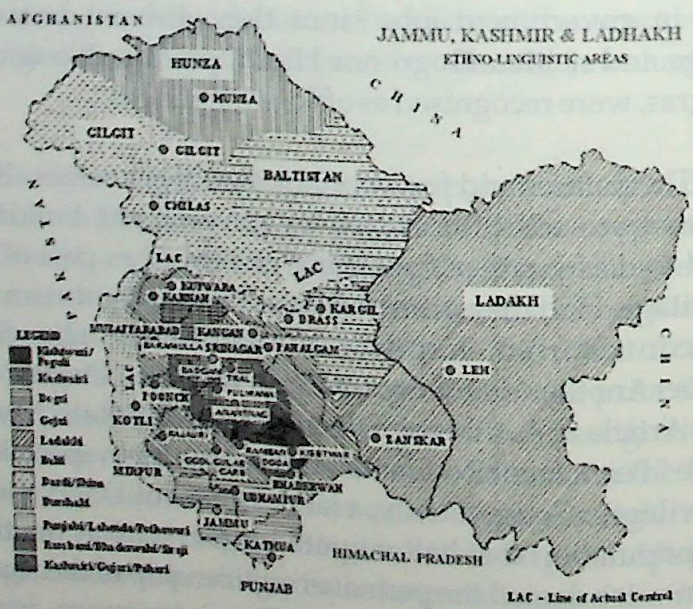
The palaces and forts built by the Dogra rulers all across the state were either occupied as government buildings or allowed to decay rather than being preserved as part of State's rich heritage. Had they been preserved, heritage tourism would have contributed handsomely towards the State's exchequer.Another fraud was played with the Dogras in the form of Article 35A, that gave the powers to the State Assembly to define "Permanent Residents" and to give them special rights and privileges. Consequently, a large section of Dogri speaking Hindu population that had migrated to the state at the time of partition were denied the permanent citizenship of the state and they continue to suffer till date. Dogri language was not included in the Eighth Schedule of the Constitution of India due to the callous attitude of the Kashmiri leadership. The Dogras

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had to launch an agitation for inclusion of the same in Eighth Schedule.

The next assault on Dogriyat came in form of denial of Dogra Certificate, a certificate that allowed certain concessions to the Dogras while seeking enrolment in Indian Army and Central Armed Police Forces. The Kashmiri Muslim leaders did not want to give a common Dogra identity to the people of Jammu.

The final nail in the coffin has been struck with the announcement of creation of 49 posts in the 46 colleges of Jammu region for teaching Kashmiri language, an alien language to the people of this region.Having succeeded in using religion as a glue fanning both sides of the PirPanjal, it has now resorted to language activism by trying to promote Kashmiri as a language of the state.



The anger amongst the people is genuine and they are going to oppose this act tooth and nail. Kashmiri is not even the official

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language of the State, then why is it being imposed on non-Kashmiri speaking region? In fact, Kashmiri is not even the language of the majority community. It is only patronised in Kashmir Valley. In the frontier districts of Kashmir Pahari, Punjabi, Gojri and Shina are the preferred languages. Punjabi/ Pothwari are the languages spoken in POK. In Jammu region 67% of the population patronises Dogri while others speak Pahari, Gojri and Punjabi (none of these languages have any affinity to Kashmiri.) Kashmiri is spoken only by a small minority in the Kishtwar district. There also in the GDC only one student is enrolled for Kashmiri. Therefore, decision to impose Kashmiri in Jammu region defies all logic. In contrast, there are only 19 posts for Dogri and that too nine of them as ad-hoc. It only indicates the mind-set of the Kashmiri leadership to impose their will on the Dogras and humiliate them not realising that Dogras are a proud race and they cannot be subjugated like this. As it is the people of Jammu region are seething with anger due to blatant discrimination against them in the matter of selection for various gazetted posts in the different departments of the government. In order to supress the Dogras, religion is being preferred over merit. Imposition of Kashmiri is part of a larger design and continuation of the politico-communal mind-set of Kashmiri Muslim leadership pioneered by Sheikh Abdullah. The authorities should not lose sight of history and forget that imposition of a particular language has been the cause of major public revolt in the past and even now in another part of the country Gurkhas of Darjeeling are fighting against imposition of Bengali. It is said that if you want to kill a nation the easiest way to do it is to kill its language. The Dogras will never accept this onslaught on their language, culture and identity. This needs to be understood clearly and unambiguously before the issue festers into a bigger problem.

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AMARNATH LAND ORDERS (2008)

Memorandum for Submission to the Cabinet
Government of Jammu and Kashmir Civil Sectt: Forest Department
Subject:- Use of Forest Land for non-forestry purpose

1. The Forest Department has received requisitions from various Agencies/Departments for diversion of forest land for non forestry purposes. The Memorandum deals with the cases which were cleared by the Advisory Committee constituted under J&K Forest Conservation Act, 1997 in its 39th Meeting held on July 12, 2007 under the Chairmanship of the Chief Secretary.

These cases were placed before the Cabinet in its meeting on February 26, 2008. The item was "deferred" since some clarifications were necessary about the wildlife perspective in respect of the proposal of Amarnathji Shrine Board (discussed as case 4 of this Memorandum). Pursuant to the above, a Committee of officers was constituted vide Government Order No. 108-Fst of 2008 dated March 17, 2008 to look into that proposal. The report of the Committee has since been received and is attached as Annexure to this Memorandum.

Case No.4

2. Shri Amarnathji Shrine Board (SASB) has made a requisition for diversion of forest land measuring 39.88 hectares falling

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under Compartment No. 63a/Sindh in Block Kulan, Range Sindh, Sindh Forest Division for construction/provision of buildings/huts/tents and other infrastructure for visiting Yatries of Amarnath Ji Yatra at Baltal and Domail.

13. Regarding the Wildlife aspect of proposal, Pr. CCF has submitted in the agenda as under:-
(a) Forms part of National Park, Wildlife Sanctuary, Natural Reservoir, Biosphere Reservoir etc.

Proposed area is adjacent to Thajwas sanctuary. The uncontrolled flow of yatris will cause pollution...

14. The recorded decision of the Advisory Committee is reproduced as under:-

"The Advisory Committee discussed this case in depth. The Chief Wildlife Warden apprised the Committee that he has already submitted his report under No. WLPTTech/1971/ 07 dated 11.06.2007 after spot inspection on 27.52007, which is reproduced as under:-

It was noticed that the proposed site for construction of Shri AmarnathjiShrine Board Complex, falling in the compartment 63(s)/Sindh/Kullan, is located on the right side of Sindh rivulet. The proposed complex does not seem to have any significant impact on the ecology of Thajwas Wildlife Sanctuary. The apprehensions of DFO Sindh and Wildlife Warden,Central that the said complex may have adverse impact on the Wildlife Sanctuary appear to be "over cautious" and an environmentally conservative approach. It is also given to understand that Shri Amarnathji Shrine Board is using pre-fabricated structures, as such likely pollution due to discharge of muck and garbage etc should not be significant . It is presumed that Shri Amarnathji Shrine Board will take necessary environmental safeguards as applicable for such development projects.

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In view of the above report, the Advisory Committee cleared the diversion of the above Forest land to Shri Amarnathji Shrine Board (SASB), on the following terms and conditions:-

i) The proprietary status of forest land shall remain unchanged.
ii) The forest land so diverted shall be utilised only for the purpose for which it has been diverted. It shall not be transferred to any other agency without approval of the Forest Department.
iii) The forest land so diverted shall not be mortgaged, re-assigned or sub-leased by user agency in any manner what so ever to any other agency.

15. As mentioned above, following the deferment of these cases in the Cabinet meeting on February 26, 2008 a Committee under the Chairmanship of Chief Wildlife Warden was constituted vide Govt.order No. 108-FST of 2008 dated March 17, 2008 to examine the feasibility of diversion of forest land vis-a-vis Wildlife Perspective for various developmental activities including construction of roads in Baltal-Ranga-Domail area of Ganderbal District as requested by Shri Amarnathji Shrine Board. The Committee has submitted its report vide letter dated May 7, 2008 (Annexure-A). The relevant extracts of the Committee's report are reproduced as under:-

"That the proposed camping sites of Shri Amarnath)/ Shrine Board (SASB) complex comprising 39.88 hectacon ot forest land (30.88 Ha. At Baltal and 9.00 Ha at Domail) the Forest Compartment No.63/Sindh of Sindh Foront Forest Department. Theses proposed camping biton do not involve any area of Thajwas Wildlife Sanctuary, which is located on the left side of river Sindh...

17. The case for diversion of Forest Land for non-forestry purpose are required to be submitted to the Cabinet as per the provisions of the Jammu and Kashmir Forest (Conservation) Act after clearance by the Advisory Committee. However, Hon'ble

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Supreme Court of India passed directions in W.P. (c) No. 202/1995 in the case titled T.N. Godavarman V/S Union of India & others on 27.04.2007 as under:

"...In the circumstances,we hereby give the following directions, pending our decision on the larger question indicated herein above:

a) The FAC as it stands today will give priority to Projects which need immediate clearances. In this regard, it may be stated that fresh cases may be cleared project-wise by the FAC and thereafter such clearances shall be placed before this court for approval. We make it clear that pending tho decision of the larger question, all clearances by the FAC of fresh cases shall be subject to approval by this Court. Before giving approval, we would like to have responses from the CEC in respect of each clearance. In order to avoid delay, we direct the concerned Ministry to give a copy of the clearance to tho CEC so that the CEC would give its response expeditiously, We will examine each clearance and decide whether to grant or not to grant the approval thereto. Once the approval in granted by this Court, the matter may be placed before tho central government for disposal in accordance with law..."

18. The above said order was sent to the Law Department for giving its opinion as to whether the same i" applicable to J&K State. The Law Department has opined on under: "The order of the Hon'ble Supreme Court dated 27.04.2007 is with regard to the Forest Conservation (Central) Act, and rules framed thereunder. The said Act is not applicable to the State as forests continue to be in the state list. Earlier a similar case was examined and vide UO No. LD(Opn) 2006/ 77-Fst dated 06.03.2007 the department was advised to move an application before the Hon'ble Court to the effect that the Forest Conservation Act, 1990 (Central Act) is not applicable to the State. The State has its own Forest Act as well as Forest Conservation Act, 1997 and seeks clarification from the Hon'ble

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Court. The Department is advised to pursue the said matter vigorously with the Hon'ble Supreme Cour and awaits clarification in the matter."

19. In the meanwhile the PCCF vide communication NO. PCCF/FC/Gen./5/106 dated 21.07.2007 approached the Central Empowered Committee constituted by the Hon'ble Supreme Court... The CEC opined under:

' The non-forest use of the forest land falling within the State of Jammu and Kashmir is governed by the provisions of the Jammu and Kashmir Forest (Conservation) Act, 1990 and not by the Forest (Conservation) Act, 1980. In view of the above, the CEC is of the view that the Hon'ble Supreme Court's order dated 27.04.2007 regarding the functioning of the Forest Advisory Committee constituted under Section 3 of the Forest (Conservation) Act, is not applicable in respect of the proposals examined by the State Level Advisory Committee constituted under the Jammu and Kashmir Forest (Conservation) Act, 1990 as amended from time time."

20. Advice of the Law Department was sought on the opinion of the CEC and the Law Department said as under: "The views of the CEC regarding the applicability of the orders of the Hon'ble Supreme Court is their opinion. The said opinion confirms the views of this Department. However, it would be safe, as advised earlier, to bring the legal position in the notice of the Hon'ble Supreme Court and seek their clarification as the State has its own Forest Conservation Act of 1990."

21. Subsequently, the matter was referred to the Ld. Advocate General for advice who said as under: "The Forests continue to be a subject with respect to which the state government has the power to make laws and not the Union. The Jammu and Kashmir Forest (Conservation) Act of 1997 is applicable to the state of J&K and the Rules have also been framed under the said Act. The J&K

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State Forest (Conservation) Rules provide for the constitution of a Forest Advisory Committee and it is within the jurisdiction of the said Forest Advisory Committee under the J&K State Forest (Conservation) Act to give clearance of projects for the purpose of non forestry purpose. So far as the rest of the States are concerned, the Forest (Conservation) Act 1980 is applicable to them. Under the aforesaid Forest (Conservation) Act Forest (Conservation) Rules 1981 had been framed. Under rule 4 of the Forest (Conservation) Rules of 1 981 it is provided that the Forest Advisory Committee has to be constituted and the said Forest Advisory Committee shall have the jurisdiction to clear the projects where forest land is required for non forestry purposes. It appears that the Hon'ble Supreme Court in WP

(C) 202/1995 titled T.N. Godavarman versus Union of India had stayed the working Of the Forest Advisory Committee in terms of the Forest (Conservation) Rules of 1981. Subsequently vide order dated 27.04.2007 the Hon'ble Supreme Court had modified the order and had directed that the Forest Advisory Committee constituted under the Forest Conservation Rules of 2003 as it stands will give clearance of the projects where forest land is required for non forestry purposes and the project would be sent to a Central Empowered Committee, which would give its response expeditiously.

I have gone through the order dated 27.04.2007 passed by the Hon'ble Supreme Cou.rt. Since neither the Forest (Conservation) Act of 1980 nor Forest (Conservation) Rules made there under are applicable to the State of J&K. The state is governed by the J&K Forest (Conservation) Act 1997 and Forest (Conservation) Rules, 2000. The Forest Advisory Committee has been constituted under the aforesaid Forest (Conservation) Rules, therefore, the order dated 27.04.2007 does not have any applicability with respect to the State of Jammu and Kashmir in as much as since the Forest (Conservation) Act of 1980 and the rules made thereunder are not applicable to the State of J&K.

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Moreso, a communication issued by the CEC on 27.07.2007 which is on file had clarified that the order of the Hon'ble Supreme Court dated 27.04.2007 regarding the functioning of the Forest Advisory Committee under section 3 of the Forest (Conservation) Act is not applicable in respect to the proposals examined by the State Level Advisory Committee constituted under the J&K Forest (Conservation) Act 1997. It is as such advised that the order dated 27.04.2007 does not pertain to the J&K State and proposals in J&K have to be examined by the Forest Advisory Committee constituted under the J&K Forest (Conservation) Act of 1997 and rules made thereunder."

22. Thereafter, GAD advised the Department to place the matter before the Hon'ble Dy. Chief Minister (Minister I/C Law) in view of two different opinions given by the Law Department and Ld. Advocated General. Accordingly, the matter was placed before the Hon'ble Dy. Chief Minister (Minister I/C Law) who opined as under:

" There is no material difference between the opinion of Ld. Advocate General and that of the Law Department. The Law Department, by way of abundant caution, seeks to obtain the clarification of the Supreme Court. I concur with the viow of the Central Empowered Committee and the Ld. Advocate General."

23. In view of the clarification given by the CEC constituted by the Hon'ble Supreme Court, Ld. Advocate General, Hon'ble Dy. Chief Minister (Minister I/C Law), the Principal Secretary to the Government Forest Department with the approval of the Hon'ble Minister for Forests, submits the above mentioned cases to the cabinet for taking a view and according approval for the use of forest land for non-forestry purposes, in favour of the above said organisations, on the terms and conditions recommended by the Advisory Committee in its 39th meeting, which have been reproduced in this memorandum, together with the recommendation made at para 16 of the memorandum in respect of case no. 4.

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Madhav Lal Principal Secretary to the Government of J&K Department of Forests The government order sanctioning the land diversion Posted online: Wednesday, August 06, 2008 at 0018 hrs

May 26, 2008: "Prefabricated structures only for camping purposes" Civil Sectt: Forest Department
Subject: Diversion of 39.88 ha of forest land to Shri Amarnathji Shrine Board at Baltal and Domail for raising Building/Structures in Sindh Forest Division

Reference: Cabinet Decision No. 94/7 dated 20.05.2008 Government Order No. 104—FST OF 2008 Dated: 26-05-2008
Sanction is accorded to the diversion of forest land measuring 39.88 ha falling under compartment No. 63a/Sindh, in Block Kullan, Range Sindh, Sindh Forest Division for raising pre-fabricated structures only for camping purposes of pilgrims, without going in for construction of permanent structures, at Baltal and Domail by Shri Amarnathji Shrine Board on the following terms and conditions:

1. The proprietary status of forest land shall remain unchanged.
2. The forest land so diverted shall be used only for the purpose for which it has been diverted. It shall not be transferred to any other agency without approval of the Forest Department.
3. The forest land so diverted shall not be mortgaged, reassigned or sub-leased by user agency in any manner what so ever to any other agency.
4. The User Agency shall pay Net Present Value of the forest land to the tune of Rs. 2,31,30, 400/- (Rs Two crore thirty-one lacs thirty thousand four hundred only) as calculated by the concerned DFO as per Hon'ble Supreme Court Order dated 30-10-2002 in I.A No. 566 in Writ Petition (Civil) No. 202 of 1995 T.N Godavarman Thirumulpad Vs Union of India.
5. The User Agency shall pay Rs. 19, 84,000/- (Rs. Nineteen lacs ninety-four thousand only) on account of Compensatory

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Afforestation to be carried over 79.96 ha.

6. The user agency shall take foolproof measures on modern scientific lines to ensure that any water of nearby Sindh Nallah does not get polluted.

7. Any damage done to the forest by the user agency or its employees and contractors or people employed by them

shall be charged from the user agency at the rate of ten times the standard rate of 1992.

8. The forest land so diverted shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.

9. The user agency shall construct complete retaining/ breast walls on the both sides of the road/railway/ earth working tunnelling etc, and take other necessary steps, so as to minimize soil erosion/land slips. In this regard, the user agency shall seek technical guidance from Director, Soil Conservation Department, J&K.

10. The user agency shall also pay any other amount which will become payable as per orders of Hon'ble Supreme Court or Government/Forest Department, J&K.

11. The user agency shall be responsible to get requisite clearance under any other relevant law in vogue.

12. The user agency shall submit an undertaking that in case of any upward revision of rates of Net Present Value, the user agency will pay the amount of differential Net Present Value.

13. The possession of Forest land diverted for non- forestry purpose under the orders of the competent authority, should not be handed over to the user agency till all payments due against Compensation of trees, NPV/Compensation of land,

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Compensatory afforestation costs etc are not seposited with Chief Accounts Officer in the office of the PCCF.

Reversing the order, and making promises
Posted online: Wednesday, August 06, 2008 at 0218 hrs
July 1 , 2008: "SASB need not pursue its earlier request for forest land"
Cabinet Decision No. 107/09

Subject: Diversion of 39.88 ha of forest land to Shri Amarnathji Shrine Board at Baltal and Domail for raising Building/Structures in Sindh Forest Division.

The Cabinet took note of the recent correspondence exchanged between HE the Governor, J&K (Chairman, Shri Amarnathji Shrine Board) and Hon'ble Chief Minister, J&K on the issue of diversion of forest land measuring 39.88 ha falling under compartment NO: 63a/Sindh, in Block Kullan, Range Sindh, Sindh Forest Division for raising pre-fabricated structures only for camping purposes of pilgrims, without going in for construction of permanent structures, at Baltal amd Domail by Shri Amarnarthji Shrine Board.

The Cabinet, in particular, noted the following excerpt forming a part of HE the Governor's D.O. letter dated the 29th June, 2008 addressed to the Hon'ble Chief Minister:

"In view of the State Government's firm commitment that the requirements and interests of the Yatris will be fully ensured and protected, the SASB does not need to pursue its earlier request for forest land being diverted for creating the required temporary facilities for the Yatries by the Board."

In the above context, following decisions were taken:
Government Order No: 184-FST of 2008 dated 26.05.2008 vide which 39.88 ha of forest land was diverted to Shri Amarnath

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Shrine Board at Balta' and Domail is hereby cancelled.

Recognising the capacity and capability of the Stat Government, reiterated its full commitment to discharge all the responsibilities of undertaking the creation of required infrastructure and providing full logistical support for making available various services with a view to fully ensuring and facilitating the welfare, safety and security of the pilgrims during the entire period of Yatra. For this purpose, land would be made availab(e to the Tourism Department, as per requirement, at various locations from Jammu onwards to the Holy Cave via Baltal-Domail as well as Pahalgam Yatra routes.
It was emphasised that the State Government is fully committed not to interfere in the religious affairs of the Shrine Amarnathji Shrine Board.

The Tourism Department is directed to make adequate provisions in annual budgets, keeping in view the ever increasing number of Yatris, so that not only are the existing facilities for pilgrims properly maintained but also that these are upgraded further from year to year.

Secretary to the Cabinet
Principal Secretary to Govt., Forest Department
Commissioner/Secretary to Govt., General Administration Dept.Secretary to Government, Tourism Department.

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FORMATION OF SHRI AMARNATH YATRA SANGHARSHA SAMITI

The way Hindus were humiliated and the government played with the religious sentiments of crores of devotees of Lord Shiva invited scathing criticism with reverberation all over the country. There was terrible resentment and bittemess among the Hindus of Jammu region. People came out in the streets in large number expressing their anger and anguish.

In view of the unrest among people, leaders of various Hindu organisations held meetings to deliberate on channelising this wave of nationalism and Hindu faith into an organized movement. On the call of Vishwa Hindu Parishad, an emergency meeting of about 40 Hindu organisations took place in Geeta Bhawan, Jammu. By way of an unanimous decision in this meeting, Shri Amarnath Yatra Sangharsha Samiti was formed. This meeting was well attended by a number of leading Hindu dignitaries like S/Shri Dr. Ramakant Dube, President, VHP (J&K), Brigadier Suchet Singh, Sanghchalak (RSS), Jammu Vibhag, Advocate Tilak Raj Sharma, Member, RSS Prant Karyakarini and Dinesh Khanna, Convener, Dharam Jagran Coordination Department (J&K). There was detailed discussion on everyDepartment (J&K). There was detailed discussion on every aspect of this holy struggle which was intended to defend Hindu faith and conviction. There was unanimity on the one most critical decision that the movement will continue till the land was given back to the Shrine Board and it was felt imperative to keep the fight away from politics and work

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untiringly to make the Hindu unity stronger Advocate Leela Karan Sharma, an eminent lavwer of Jammu High court was unanimously chosen the Convener/Chairman of the Samiti. Shri Leela Karan Sharma having worked as President of Hindu Raksha Samiti was known to be a reputed, daring, non-controversial and non-political person. In the first meeting of the Sangharsha Samiti held on 30th June, following four resolutions were passed:-

RESOLUTION -1 : Recall of Governor

The newly appointed Governor of Jammu & Kashmir Shri N.N.Vohra took an arbitrary and hasty decision to order transfer of land to the state government without taking proper stock of the circumstances, without carrying out essential investigation and without having consultations with various political parties of the state. On the other hand, CM Ghulam NabiAzad setting up another example of 'Action under hidden agenda' quickly responded by implementing Governor's order. No doubt, the Governor and CM acted under a well- devised scheme hatched at the highest level by UPA Chairperson Ms Sonia Gandhi and PM Manmohan Singh with a view to appease and placate the anti-lndia forces and separatist groups. This decision of the government dealtserious blow to the religious sentiments of millions of Hindus all over the world. We appeal to the Central Government and President of India to recall the Governor Shri Vohra before things get out Of hand otherwise the people Of Jammu region will not allow Shri Vohra to function as an agent of the Congress Party.

RESOLUTION - 2 : Dismissal of the State Government

All the supporting parties in the coalition government of Jammu & Kashmir especially PDP and Congress unanimously approved the decision of transfer of land to Shri Amarnath Shrine Board and with due consent of the cabinet land was given to the Shrine Board. But sadly, the cheap politics of Vote-bank

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and politics of 'uniting against Hindus' brought all the Kashmir-oriented anti-lndia and pro-Pakistan groups and par-ties on one common platform. Anti-lndia and anti-Hindu demonstrations were planned and staged all over Kashmir with Pakistani and islamic flags fluttering everywhere. Parties like PDP and National Conference backed out from their earlier stand. In whole of Kashmir, attempts were made to communalise the atmosphere fanning anti-Hindu and anti-lndia feelings among the people. The Congress-led coalition government knelt before the anti- nationals and traitors. Therefore, Sangharsha Samiti appeals to the President of India to straightaway dismiss the government led by Shri Ghulam Nabi Azad following double standards of governance and impose President's rule in the state under a nationalist Governor. It is also impressed upon those leaders like Ali Shah Geelani, Mirwaiz Omar Farokh, Omar Farokh who are openly making anti-lndia statements must be arrested and charged under the applicable laws.

RESOLUTION -3 : Restoration of Land to the Shrine Board

The government must forthwith restore the land and all the relevant rights of management of the Yatra to the Shrine Board to assuage the bruised feelings of the Hindus. Shri Amarnath Yatra is a matter of faith for all Indians especially Hindus. Any interference by the state in this emotive issue is bad in spirit, unconstitutional and unbearable. The state interference would further prop up and give a boost to the demon of separatism. As a result the so-called secular environment of the country will become vitiated. In view of the gravity of the issue, the Sangharsha Samiti appeals to the Hon. President to order the Governor and CM to restore the land to the Shrine Board. If the government is unable to transfer the land to the Shrine Board, then it (the government) must withdraw or cancel the Haj subsidy and the land given to Baba Ghulam Shah, Pampor Islamic University, Jammu's Haj house and other Muslim organisations throughout the country for undertaking their religious activities.

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RESOLUTION - 4: Hindus of the Country Must Unite

The issue of Shri Amarnath Yatra is not just related to the people of Jammu and Kashmiri pundits. The 350-year old festival of Chhadi Mubarak, 148-year old ShriAmamath yatra and the practice of worship and veneration for the last 5,000 years, in the Holy cave of Shri Amarnath Dham (Temple) situated on the 13,500 ft. high hills of majestic Himalayas is the symbol of the unity and faith of Indian nation and Hindus. The Sangharsha Samiti appeals to all the Hindu organisations, saints, seers, sages, religious leaders, Shankarachanyas and monastics to come out of their huts, temples and monasteries and lead throughout the country the holy struggle against the patently unjust, unfair and anti-national decision. If timely action is not taken, the pro-Pakistan forces will get impetus in their dastardly designs and their evil impact will be felt all across the country. The wrong done to the Shrine Board is a grievous blow to the entire nation and, in effect, a challenge to the integrity and sovereignty of the nation. In the present scenario when the anti-lndia subversive forces are determined to carry out their sinister designs to harm the nation, the onus lies on the Hindus to unite and jolt the congress governments both in the centre and state, who are behaving in a bashfully degrading manner before the traitors to the nation.

Shri Amarnath Yatra Sangharsha Samiti : Core Group

S/Shri

1. Leela Karan Sharma, Advocate - Convener/Chairman
2. Brig Suchet Singh -Akhil Bharatiya Purva Sainik Sewa Parishad
3. Tilak Raj Sharma , Advocate Rashtriya Swayamsevak Sangh
4. Ramesh Sabharwal - Rashtriya Swayamsevak Sangh
5. Dr.Gautam Mangi - Rashtriya Swayamsevak Sangh
6. Dr. Rama Kant Dubey - Vishwa Hindu Parishad
7. Surendra Agrawal - Vishwa Hindu Parishad
8. Ashok Khajuria - Bhartiya Janata Party

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9.Prof. Hariom - Bhartiya Janata Party
10.Ramesh Pappa -Akhil Bhartiya Vidyarthi Parishad
11.Narendra Singh -Akhil Bhartiya Vidyarthi Parishad
12.Narain Singh - Rajput Sabha
13.Ram Sahay - Chamber of Commerce
14.Yash Pal Gupta - Retailer Association
15.Heera Lal Bhatt - J&K Vichar Manch
16.Dr. RL.Bhatt - Kashmir Intellectual Forum
17.Dr. Jitender Singh - Prof. Medical College
18.VS.Salathia - Bar Association
19.Udai Chand - Duggar Manch
20. Chandra Mohan Sharma - Praja Parishad
21. Dr. Virender Gupta - State Morcha Progressive
22.Dev Raj Baddu - Brahmin Sabha
23.Vijay Sharma Transport Union
24.Kuldeep Singh -Transport Union
25.Anan Sharma - Kranti Dal
26.Rajesh Gupta - United Hindu Shiv Sena
27.Rajesh Kesari - United Hindu Shiv Sena
28.Jagdish Langar- Industrialist
29.Prof. Bhola Nath - Educationist
30.Shyam Churamani Sanatan Dharma Sabha
31.Virenderjeet Singh National Sikh Forum
32.Surender Singh - Gurudwara Prabandhak Committee
33.Pawan Kahli - Ex-SDM
34.Kamlesh Paroch - Ex-Judge

Ref: from the book " Jammu & Kashmir an analaysis of facts" by Ashutosh (2013)

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HISTORIC 'JAIL BHARO' MOVEMENT

Shri Amarnath Yatra Sangharsha Samiti organised the massivejai/ bharo movement in reply to the unyielding and adamant attitude with tainted mind-set of Muslim appeasement, in complete disregard of national interests, of the Central government and its agent Governor N.N. Vohra. In this 3-day (18-20 August) campaign, more than 11 lakh people of Jammu area courted arrest. One out of four people residing in Jammu region (with 40 lakh population) went to jail in support of the movement. This factor severely dented the oppressive intents of the government.

First Day — 3.50 lakh people arrested

On the 1 8th August, the very first day of the campaign more than 3 lakh people courted arrest. Hundreds of schools and dharmashalas (public shelters) were converted into jails. These temporary jails had no arrangement for accommodating people with no food or water. In the Maulana Azad stadium, the stadium-turned-jail, about 40,000 hungry and parched agitators shouted slogans against the utter mismanagement of the administration. This was followed by mass hunger strike and chants of Lord Shiva.

Police Station under Siege:

At several places like Kathua, Bhaderwah, Samba, Katra, Basholi, Riyasi, Hira Nagar, Lakhanpur, and Kishtwar, the

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volunteers courted arrest and gheraoed the police stations. Finally, the police arrested them and confined them in temporary tent. They were later let off. In the Udhampur district, the police fired teargas shells run the agitators to force thorn retreat to their homes. But the protestors broke the police cordon and entered the police station. In desperation, the police arrested them. Around 12 noon, led by the leaders of religious and social organizations people surrounded the local police stations, The police again resorted to teargas and lathi charge, There was heavy posse of police and security personnel. The desperate police used tear gas shells to disperse the people. The surging sea of humanity was uncontrollable; The police used lathi charge and tear gas to dampen spirits of the people but of no avail. Seven people got seriously injured and police station finally came under siege. With the intervention of senior police officers, the situation could finally be brought under control. The police took all the agitators to the make shift jail in PG College. In the entire Jammu region, today's agitation surpassed the expectations of the Sangharsha Samiti.

Jammu ladies become Durgas-
Unforgettable Satyagraha of women protestors

On the 2nd day of the campaign, it was women's turn to court arrest. Women in every village and town of the region came out in the streets carrying trishuls and tricolours. They fanned out in smaller groups shouting slogans of 'Hum Bharat kinaari hain, phoo/ nahin chingari hain.'

(We, the women of India, are not flowers, we are sparks). More than one lakh women were arrested in Jammu alone and about 2.50 lakh in the entire region. They kept singing devotional songs in praise of Lord Shiva and shouted slogans like—"Traitors! Leave Kashmir". The police and security jawans realised the intensity of women power. At some places, they were even seen fleeing to save their lives. In Udhampur, the

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leader of the women processionist groups was a local Muslim woman Shakina Bano. In Jammu, Bar Association took out a procession led by their Chief Bhupender Singh Salathiya in support of the women's campaign. More than 600 advocates were arrested.

Overall, more than 4 lakh people (including 2.5 lakh women) were arrested.

Arrest of an old blind woman

In Badi Brahmna, a small town near Jammu, the group of women agitators was led by a 56-year-old blind lady, Beena Devi. She was leading the procession with the help of two children. About 1800 slogan shouting women present in this group, all full of zeal and enthusiasm, gheraoed a police station. Here too, the policemen had to run for cover. The
Women brigade entered the than a premises and kept singing devotional songs and prayers for hours.

A Girl unfurls national tricolour on 80 ft-tall Tower in Jammu

In the heart of the city of Jammu, there is an 80-ft. tall BSNL Tower near the police station. When a procession of 30,000 women agitators reached near the police station, the security forces were taken aback. Suddenly, BSNL Tower caught the attention of a girl, Anita Sharma. She started climbing the tower with slogans on her lips and in no time, she was unfurling the tricolour on the top. The processionist women kept cheering this bold girl. No policeman dared to arrest Anita nor could they persuade her to climb down the tower. It was only on the advice of Brig (Retd.) Suchet Singh that she climbed down.

The Spirit of children knew no bounds — 1.50 lakh children take out procession

The third day of 'jail bharo' campaign could be termed as the golden chapter in the saga of this struggle. The spirited show

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of patriotism by the children was, to say the least, marvellous. Despite their heavy presence and patrolling, the police and security Jawans could not prevent the children from moving forward to court arrest. The children were appearing as the very true form of Lord Rama and Krishna. There were many small girls who had dressed up as Ma Durga and Bharat Mata The slogans of nationalistic and religious fervor like "Hamari Bhoomi vapas do", "Vande Matram, " "Hum bache hain Ram ke: - AmarnathKe Kaam Ke" and "Bum Bum bhole" were adding to the thrilling atmosphere.

There were large number of children in the procession raising slogans of Bharat Mata Ki Jai and Bum Bum Bhola They were all taken to the thanas and jails in the region, which were all packed to full capacity. Some of them were in their mothers' lap. Since the administration failed to make proper arrangement for sitting, water etc., there was at times, commotion and unrest. Interestingly, when a 7 month old Harshit came along with his mother for arrest, the suckling became the centre of attraction for the people including policemen.

Sucklings in their mothers' lap

In Samba near Jammu, a 6-year old child gave a spirited speech atop a table and vowed to fight till the end. In Katra and Riyasi, hundreds of Muslim children joined the procession accompanied by their burqa-clad mothers. More than 4 lakh people alongwith their grand children courted arrest. In Jammu city, a procession of 10,000 old men and women was led by ex-RSS Prant sanghchalak, 94- year old Dr. Om Prakash Mangi. He is also known for leading the movement of Praja Parishad way back in 1953. In today's agitation, thousands of ex-servicemen also courted arrest.

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ELIXIR OF MARTYRDOM TO SAVE HINDUTVA

The countrymen can never overlook the supreme sacrifice of the patriotic people for protecting the self-esteem and honour of the pilgrims and devotees of Lord Shiva and Shri Amarnath Yatra which is symbol of our national unity. Whenever the saga of success of this movement will be discussed people would remember the martyrs with reverence. Their sacrifice will always serve as a benchmark and source of inspiration for generations to come. The history of this miniature movement in defence of Hindu faith will remain incomplete without reference to the indomitable spirit and sacrifice of its martyrs.

Martyr Manjeet Singh

In this nationalist movement, the first brave man to sacrifice his life was Manjeet Singh, resident of Bhadrawah. On the 2nd July, Sangharsha Samiti organised a large public meeting followed by a procession. This large gathering of Hindus did not go well with the administration and some sections of people who are in majority in the state. The miscreants threw a granade at the peaceful procession which injured about 36 people. Manjeet Singh was one of the injured. On the 6th July, he passed away in the hospital. After post. mortem the police, showing utter callousness, lifted his dead body and instead of handing it over to the waiting relatives passed it to the residents of his village. The local residents performed very respectfully the cremation ceremony of this

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valiant martyr.

Martyr Ramesh Kumar

On the 7th July, Ramesh Kumar, a resident of Pir Mattha area of Jammu was on his way to nearby Lakhdata bazar to buy certain essential provisions. The police stopped him and as he turned back to his home, policemen started beating him with lathis. Fearing for his life, he started running and the police chased him. Ramesh rushed into his house and climbed to the 4th storey. He was being closely followed by a police officer. As he jumped from his roof to the other side across the street to save his life, he fell down in the street. Ramesh Kumar suffered severe head injury which proved fatal.

Martyr Kuldeep Dogra

Another martyr who laid down his life for the cause Of salvaging land for ShriAmarnath Yatra was Kuldeep Dogra, a nationalist poet. On the 23rd July, hundreds of people were sitting on hunger strike. Kuldeep Dogra recited his self-composed poem and soon after fell down. A small note was found in Kuldeep's pocket which contained his avowed intent of laying down his life for Shiv Bho/e (Lord Shiva). After the cremation, Kuldeep's 8 year old son Anmol spoke to the press reporters "The sacrifice of my father will not go in waste, I shall fulfil his dreams."

Martyr Sanjeev Singh

On the 4thAugust, in Samba, the SSP himself opened fire on the agitating demonstrators which took the life of a 24 year old Sanjeev Singh. According to some eye witnesses, no warning was given to the people before firing. Rather SSP indicated and called the people to come closer and when they did so they were shot. Captain Chanchal Singh, the father of the deceased reacted

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to the incident saying – "My young son has achieved martyrdom and I have not shed a tear. I am proud of the way he has sacrificed his life in this struggle fighting for his right."

Martyr Sunny Padha

On the 4th August itself when the SSP fired upon the demonstrators, another youngman and a college student, Sunny Padha was shot. The only son of his parents, he fought for justice and became a martyr. The father of Sunny Padha, Shri Hemraj spoke about his brave son - " He was my only son who has taken the elixir of martyrdom. My only wish is that the piece of land for which my son has sacrificed his life must be restored to Shri Amarnath Shrine Board."

Martyr Narendra Sharma

Narendra Sharma, a resident of Kathua made memorable contribution to this holy movement by sacrificing his life. Engaged in the business of spare parts in Chadwal area of Kathua he was leading a group of young demonstrators on the 6th August. They were blocking the movement of trucks moving to Kashmir. Thousands of people were sitting on dharna on the highway. The police, as usual, started lathi-chatge without warning and when the people did not budge, the army personnel opened fire targetting Narendra Sharma which killed him on the spot. According to Shri Jagdish Sharma, father of Narendra - "My one son has sacrificed his life, I have four more and even I am alive. We will continue to make sacrifices and keep up the struggle till the restoration of land."

Martyr Dr. Balwant Khajuria

Dr. Balwant Khajuria, 70, an old Ayurvedacharya (Retd.) belonged to an affluent family of Hiranagar. For several days, he continued providing leadership and direction to the

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demonstrators in Hiranagar. One day, during dharna, suddenly he requested for a glass of water and swallowed a pill of poison. He seems to have already made up his mind for the extreme step. Just before that, he had made a donation of Rs 1 ,000/- to the Sangharsha Samiti, Dr Khajuria mentioned in his last letter that he was sacrificing his life to inspire the people to continue the fight till the end and to awaken the anti-Jammu government to come to its senses.

Martyr Bodhraj

On the 18th August, Bodhraj, a resident of Kotli Makhi was driving down to a nearby town RS Pura to join the agitation with Indian tricolor fluttering on his motorcycle. The police tried to stop him. When he did not, a police officer on his bike chased him and after some distance knocked him down. He got serious head injury which proved fatal. He was a modest farmer.

Martyr Deepak Sharma

In response to a call given by Sangharsha Samiti on the 18th, 19th and 20th August, the Jail Bharo Movement had reached far and wide in the region. On 20th August, Deepak Sharma, a resident of village Riyal and his friends were on their way to Bishnah near Jammu shouting slogans, to join the agitation, with the tricolour fluttering atop their tractor. When their tractor reached a turn, the police tried to stop them. When the driver suddenly applied brakes to stop the speeding vehicle, the trolley toppled. This left Deepak Sharma and his friends seriously wounded. He breathed his last in the hospital.

Feelings of youngsters uncontainable

The government's usually weak-kneed, suicidal and seditious policy of succumbing to the Kashmiri separatists fanned the flames of patriotism and passion among the youth.

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During Satyagraha, despite facing the brunt of lathis, bullets, tear gas shells and affront, people's nationalistic fervor did not lose its sheen and they were always prepared to sacrifice their life for protecting Hindu faith and honour. A number of instances of 'suicide by swallowing poison pills' came to light which may not be a glorious way of sacrifice but their spirit of nationalism is undoubtedly praiseworthy. Names of some of such committed people are given below -

25th July 2008 - Munish Singh, a resident of Janipur tried to end his life by consuming poison for the sake of the movement.
29th July - Kamaldeep Singh of Samba committed suicide through poison and exhorted people to be prepared for the supreme sacrifice.
10th August - Anil Kumar of RS Pura consumed poison and tried to convey his message for the success of the movement.
11th August- Jeevan Singh of Kanachuk participated in the movement and then took poison pill in his house.
14th August- Dr. Balwant Khajuria, 70, an affluent and eminent Ayurvedic sacrificed his life for the cause.
19th August - Jitendra Mehra of Langrayali village in order to encourage the people to serve for the cause, tried to lay down his life.
20th August- Resident of Jhajar, Bunty Singh tried to end his life to give momentum to the struggle.

All the above named brave people had firm resolve to save Hindu honour: They carried self-written message in their pockets which stated about the government's policy and intent of crushing Hindus' rights and sentiments. They expressed the desire to sacrifice their life to strengthen the Hindu brethern and Hindu faith.

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ABOMINABLE POLICE ACTION ATROCITIES IN SAMBA

The massive campaign which had engulfed the entire Jammu region was reaching its peak. Thousands of people joined the agitation. The slogans of "Har Har Mahadev' ranted the air. People assembled in large numbers and staged 'dharna' near the police station in the heart of the cityi The procession moved on peacefully.

The police obstructed their way and even resorted to firing to detour the peaceful procession which injured 50 people out of which 6 were seriously wounded. They were taken to Medical College, Jammu by the Sangharsha Samiti volunteers. Among the demonstrators, were two young men from Samba, Jugal Kishore and Sunil Singh who succumbed to the injuries sustained in police firing. Though the police subsequently claimed that the two young men were not victims of their firing. This led to confusion as a section of the people believed that they might have been killed as a result of personal enmity. The truth will come out only after official investigation.

Similarly, on the 4th August in Samba, SSP ordered firing on the innocent, unarmed demonstrators when they were peacefully raising slogans of Bum Bum Bhole and Bharat Mata ki Jai. The police fired without any warning and even plotted the killings of some young demonstrators by calling them into their fold and then gunning them down. SSP himself hatched this murderous plot. The young leaders Sanjeev Singh and Pawan

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Padha lost their lives and many injured. The police officer did not spare even women and children who were chased and mercilessly beaten.

Police into the Blinding Act

Around mid day on 5th August the meeting of Sangharsha Samitiwas in progress in a temple in Jorian. All of a sudden, the police arrived at the site and resorted to lathi charge. As this news spread, people in large number reached the spot raising slogans. Police started firing indiscriminately and without provocation which left 22 people seriously injured, In this brutal police firing, one 30 year old Pawan kumar lost both his eyes. Agitated by this inhuman act, a group of about 150 women attacked the police party, some of them were thrashed and made to run for cover.

Pawan, who lost his vision in the cause of Baba Amarnath was a poor farmer who earned his bread as a daily wager. He had an old widowed mother, a brother and 2 year old daughter to support. He got medical treatment in a Govt Hospital and the doctors advised an expenditure of Rs 8 lakhs for his treatment. As a silver lining, an ex-Army man offered to donate his one eye to Pawan. Similarly, one villager Ganga Ram volunteered to donate one eye to Pawan. Pawan's depressed wife was begging for help for her husband, As ahumanitarian gesture, Sangharsha Samiti decided to bear the entire expenditure of Pawan's treatment

'Mundan' Ceremony gets tear gas Shells

A 'mundan' ceremony of a child was being held in a village, 4- kms away from Jammu. The Area police termed this auspicious function as violation of curfew and resorted to tear gas and firing rubber bullets. This was another instance of brutality of Rapid Action Force and J&K police which led to

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serious injuries to many innocent people. In this insane police act, a 75 year old lost his leg and 3 children were badly injured. The guests and relatives who gathered forthe religious ceremony had to leave unceremoniously without food and with spirits badly bruised. The administration had no heart to punish the guilty.

Police on Arm-breaking spree

The J&K police, under orders from the state authorities to crush people's movement crossed all limits of barbarism in committing atrocities on the intellectuals, women, children and even the sick. The curfew passes given to selected people like doctors, journalists and government officials had no value in the eye of the police, who, in total disregard of rule of law, threw them in the gutter, with choicest abuses. Even Dr Vinesh Mahajan of Janipura in Jammu, despite having a valid pass, was mercilessly beaten up by the police with rifle butts which fractured his arm. This led to lightening strike by Doctors of the Hospital and caused tremendous distress among the patients. In the face of state-led atrocious action, even the patients in the hospital wished the movement all success.

In the 2 months long mass movement, J&K police created an all time record of brutality and barbarism. They did not even hesitate to beat a 3- year old Vansh Babbal with lathis till his arm was broken. The poor child in the company of his uncle with valid curfew pass got no mercy from the police.

Hindu leaders banned

In the first week of August, with a view to assess the fast deteriorating situation of Jammu, Sadhvi Ritambhara and Uma Bharati visited Jammu but the authorities had other motives. As soon as they landed at the airport both were taken away by the police and were detained in a room oftheAirport itself. Sadhvi

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Ritambhara was to attend a public meeting in the Parade Ground. Both the leaders were ordered to return to Delhi. Both the Sadhvis staged a dharna at the airport against this unlawful order of the government. Sadhvi Ritambhara was forcibly flown to Delhi while Uma Bharati was put under house arrest in the government guest house at Udhampur. As the news of this high-handedness spread, thousands of people proceeded to Udhampur Guest house. Uma Bharti courageously broke free from the police confinement and addressed the gathering for half an hour. Next day, she, too, was flown to Delhi. Equally despicable treatment was in store for BJP Chief Rajnath Singh and General Secretary Arun Jaitley when they visited Jammu but the huge gathering of the people thwarted the designs of the state authorities. Both these leaders went to the hospital to enquire about the well being of the injured.

Congress, PDP and NC fully exposed

As the movement expanded, the parties opposing it like Congress, PDP and NC stood fully exposed, the dubious anti-people and anti-Hindu policies of these parties came to the fore. People from all over the region got together and demonstrated in front of the houses of the Congress and NC leaders to oppose and expose their policies of Muslim appeasement and suppression of the people of Jammu. The transfer of land from the Shrine Board by the Congress CM gave a body blow to the popular base of the local Congress legislators.

Several Congress leaders sheepishly chose to support the people's movement. This caused a rift in the Congress party. The congressmen led by MP Madanlal Sharma left for Delhi and met Mrs. Sonia Gandhi and tried to convince her to accede to the demands of the Sangharsha Samiti. After meeting Mrs. Sonia Gandhi and PM Manmohan Singh, these Congress leaders went back to Jammu and chose to go into hiding. Their sense of guilt did not allow them to face people. When the Rajput community

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decided to ostracize congress leader and former minister Gulchain Singh Chadhak, he too chose to support the Sangharsha Samiti and made a public statement in this regard. Similarly another ex-Dy CM and Congress, leader Mangat Ram Sharma was also threatened with social ostracision by the Brahmin Samaj. He was gheraoed by a large number of demonstrators. Even the armed police personnel threw up their hands in breaking the demonstrators' ring. The administration swung into action Rapid Action Force to secure his release. This was the common fate of the congress leaders in the entire Jammu region. The PDP leaders too, had to face wrath of the people. When NC leader Omar Abdullah made a statement in the parliament that not an inch of land will be given to anybody, it invited strong and vociferous objection all over the country. Such unpatriotic statements made by the likes of Omar Abdullah came in for severe condemnation. This resulted in gross erosion of the popular base of the Congress party, PDP and NC. This movement exposed the Congress party's vote bank politics based on the policy of appeasement.

The Fire of separatism spreads in Poonch (Police lends support to rioters)

During the nationalist movement, the Kashmiri separatists tried to instigate people in the Muslim-dominated areas against the Hindus to flare up communal riots. The government machinery especially the pro-Pakistan elements in the police force openly supported such miscreants. The entire area of Poonch faced a real threat of Hindu exodus. In 1989, under similar circumstances three lakh Hindus had to flee from their homes.

Poonch District, in the Jammu region is very close to Kashmir and Pakistani territory where Hindu population based near the line of control is only 10 percent. Adjacent to this area, the Rajouri District too has minimal Hindu population of 18

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percent. As the Jammu region witnessed the rise of Amarnath land movement, the separatist outfits like Lashkar-e-Taiba and Hizbul Mujahideen started threatening the Hindus to leave the region. On the 23rdAugust, about 4 lakh Kashmiri and Muslim extremists gathered at Parade Ground in Poonch. They entered the city and vandalised scores of shops of Hindus and caused heavy damage to their houses in the very presence of the police force. As a defensive measure, when the Hindus united to face up to the Muslim goondaism, the police resorted to lathi charge, tear gas and even indiscriminate firing. The curfew was imposed in the city to muzzle the voice of Hindus. The same night, some Muslim youngsters violated the curfew and pelted stones at the Hindu temples and houses. 'Kafirs, leave Poonch' was the punch line in their slogans. Likewise, two days later, Muslims attacked the houses and religious places of Hindus in the adjoining area of Jammu - Dalora, Kuhait and Bainch. Same disgraceful acts were repeated in Rajouri District. The vital information and leads provided by the Hindu leaders to the security forces and police officials about the planned attacks of Muslims had little impact.

Jehad against Hindus

There is no exaggeration to say that in the very Presence and with full support of J&K police and under well planned conspiracy of Kashmiri separatist groups, the Muslim majority of a number of districts launched 'Jehad against the Hindu minority. It continued for days; Muslim miscreants freely went about burning and rampaging the Hindus' homes, shops and places of worship with impunity. Even women and children did not escape the brazen attacks of Muslims. The general apathy and indifferent attitude of administration was, as usual deplorable. The police personnel shut their eyes and even switched off their mobiles.

The police failed to control the arson and looting of

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Hindus which went on unchecked throughout the day. The next morning at 7.00 A.M. the police tear gassed the homes of Hindus. On the following day also, in the very presence of the police, the mobs of Muslim rioters selectively broke open the shops of Hindus, looted and burnt down their homes and stoned Hindu temples. In the chaos, one old lady Vimla Devi got a broken leg and another youngman lost his eye. In the rural areas adjacent to Poonch, Muslim youngsters gathered on the main roads in large number and tried to terrorise people. They set on fire four shops in Bainch and caused heavy damage to the Bhairon temple. As the Hindus protested against this violent behaviour, they were attacked which left many women and children badly injured. In Dalera village, the unruly mob pelted stones at the Shiv mandir and indulged in vandalism inside the temple. It went on unabated throughout the day.

In Kathua, Samba, Riyasi and Doda districts of Jammu region also, the separatist Muslims tried their utmost to create communal strife. The administrative machinery was found miserably wanting, inept and paralysed in every respect. It is worthwhile to mention that the Hindu - Muslim harmony generated in support of the movement and Shri Amarnath pilgrims in Jammu region did not find favour with the separatists. The anti-national elements who had sneaked into the state administration did everything to vitiate the environment

There was concrete evidence on record to reveal the unholy collusion between the police personnel and Kashmiri miscreants, so much so that a number of police constables in plain clothes were seen indulging in arson and looting of Hindus. In Bhatyas village of Gandoh Tehsil in Doda District two Hindu temples were burnt down. Thus, the traitorous activities of the Kashmiri separatists continued unabated in the Muslim dominated areas.

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Terror in Kishtwar

In Kishtwar, instigated by the PDP leaders and the separatist groups, the Muslim majority started creating trouble for the Hindus. The death of Huriyat leader Abdul Aziz in police firing in Kashmir aggravated the situation further Several vehicles, houses and shops belonging to the Hindus were burnt down by the Muslims. During the night, appeals were made to the Muslims from atop the mosques in Kishtwar to observe strike. The authorities' clamped curfew but the security arrangements were terribly inadequate and wanting in many respects. Emboldened by police laxity in curfew the majority community took to streets in thousands. A violent Procession was taken out in the Hadiyal Chowk of Kishtwar in Open violation of curfew. Ironically, under the pretext of Curfew violation, the police used excessive force to maim and kill innocent Hindus in Jammu. A stone throwing incident in Kishtwar created communal tension; Two grenades that went Off in the crowd took two lives. The inaction of the police and central forces was again appalling.

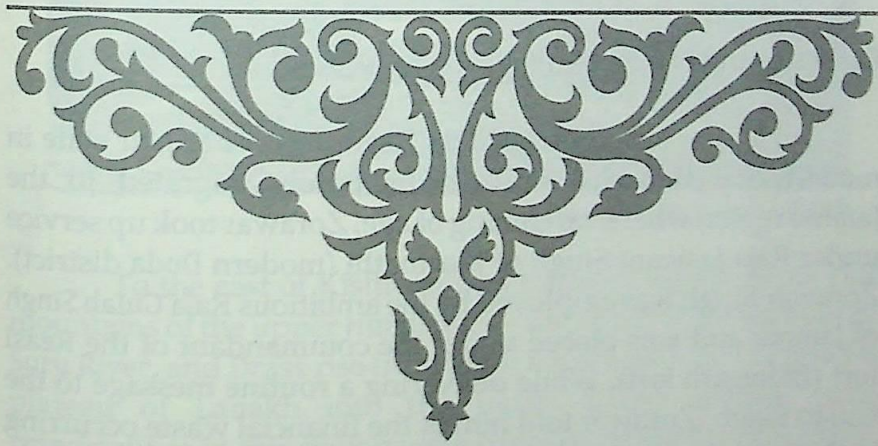
Shri Amamath Yatra Sangharsha Samiti accused that the weak-kneed government used to bowing to the separatists meekly surrendered here, too, to the excessive violence of the majority Muslim community whereas the movement in Jammu was run in an atmosphere of communal harmony. The leaders of PDP showed their true colours and openly supported the anti-nationals and separatists. They created trouble in Kishtwar to divert the attention of the people of Jammu from the core issue.

Ref: from the book " Jammu & Kashmir an analaysis of facts" by Ashutosh (2013)

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Brave Army officers to Save Jammu & Kashmir



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ZORAWAR SINGH KAHLURIA (1786-1841)

Zorawar Singh Kahluria (1786-1841) was a general of the Sikh Empire in South Asia. In reference to his legacy ofconquestsinthe Himalayas including Ladakh, Tibet, Baltistan and Iskardu as General and Wazir(Minister), he has been referred to by historians as "Conqueror of Ladakh" and the "Napoleon of India

Early life and career

He was born into a Hindu Dogra fami of Kahlur state in modern-day Himachal Pradesh,His family migrated to the Jammu region where, on coming of age, Zorawar took up service under Raja Jaswant Singh of Marmathi (modern Doda district). Zorawar Singh was employed by the ambitious Raja Gulab Singh of Jammu and was placed under the commandant of the Reasi fort (Bhimgarh fort). While delivering a routine message to the Gulab Singh, Zorawar told him of the financial waste occurring in the fort administration and boldly presented his own scheme to effect savings. Gulab Singh was impressed by Zorawar's sincerity and appointed him commandant of Reasi.

Zorawar Singh fulfilled his task and his grateful ruler made him commissariat officer of all forts north of Jammu. He was later made governor of Kishtwar and was given the title of *Wazir* (minister).

Even though it was a newly conquered region Zorawar

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had no trouble in keeping the peace; many of the local Rajputs were recruited into his army. In 1835 the nearby region of Paddar was taken from Chamba (now in Himachal Pradesh) in the course of a battle. Paddar later became known for its sapphire mines. But this was a mere sideshow to General Zorawar Singh's more famous expeditions, on which he had already embarked in the previous year.

The Ladakh campaigns



Zorawar fort in Ladakh

To the east of Kishtwar and Kashmir are the snow-clad mountains of the upper Himalayas — the rivers of Zanskar Gorge, Suru River, and Drass rise from these snows, and flow across the plateau of Ladakh into the Indus River. Several petty principalities in this region were tributary to the Gyalpo (King) of Ladakh. In 1834 one of these, the Raja of Timbus, sought Zorawar's help against the Gyalpo. Meanwhile, the Rajput general had been burning to distinguish himself by expanding the territory of Raja Gulab Singh — also at that time, according to the Gulabnama, Kishtwar went through a drought that caused a loss of revenue and forced Zorawar to extract money through war.

The Rajputs of Jammu and Himachal have traditionally excelled in mountain fighting; therefore Zorawar had no trouble

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in crossing the mountain ranges and entering Ladakh through the source of the Suru River where his 5000 men defeated an army of local Botis.[1] After moving to Kargil and subduing the landlords along the way Zorawar received the submission of the Ladakhis — however Tsepal Namgyal, the Gyalpo (ruler), sent his general Banko Kahlon by a roundabout route to cut off Zorawar's communications. The astute general doubled back to Kartse, where he sheltered his troops through the winter. In the spring of 1835 he defeated the large Ladakhi army of Banko Kahlon and marched his victorious troops towards Leh. The Gyalpo now agreed to pay 50,000 rupees as war-indemnity and 20,000 rupees as an annual tribute.

Alarmed at the gains of the Dogras, the governor of Kashmir, Mehan Singh, incited the Ladakhi chieftains to rebel but Zorawar quickly marched back to the Himalayan valleys and subdued the rebels, now forcing the Raja of Zanskar to also pay a separate tribute to Jammu. But in 1836 Mehan Singh, who was in correspondence with the Lahore durbar, this time instigated the Gyalpo to revolt — Zorawar force-marched his army in ten days to surprise the Ladakhis and forced them to submit. He now built a fort outside Leh and placed there a garrison of 300 men under Dalel Singh — the Gyalpo was deposed to an estate and a Ladakhi general, Ngorub Stanzin, was made King. But the latter did not prove to be loyal hence the Gyalpo was restored to his throne in 1838.

Baltistan campaign

To the nor west of Ladakh, and to the north of Kashmir, lies the region of Baltistan. Muhammad Shah, the son of the ruler of Skardu, Raja Ahmad Shah, fled to Leh and sought the aid of the Gyalpo and Zorawar against his father. But some of the Ladakhi nobles allowed Ahmad Shah to imprison his son and sought his aid in a general rebellion against the Dogras. After defeating the Ladakhi rebels Zorawar invaded Baltistan in the

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winter of 1839/40 (Petech, Kingdom of ladakh, p. 144, Datta, Ladakh, p. 122 etc. etc.), adding a large contingent of Ladakhis to his army.

The advance brigade of 5,000 under Nidhan Singh lost its way in the cold and snow and was surrounded by the enemy; many soldiers perished from the cold. Then Mehta Basti Ram, a prominent Rajput from Kishtwar, established contact with the main force. On their arrival the Botis of Skardu were defeated and forced to flee. They were chased to the fort of Skardu which was invested by Zorawar for a few days. One night the Dogras scaled the steep mountain behind the fort and after some fighting captured the small fort on its crest. From this position the next day they began firing down at the main fort and forced the Raja to surrender. Zorawar built a fort on the banks of the Indus where he placed a contingent of his soldiers.

After placing Muhammad Shah on the throne for an annual tribute of 7000 rupees, a Dogra contingent under Wazir Lakhpat advanced westwards, conquered the fort of Astor and took its Darad Raja prisoner. However this Raja was tributary to Mehan Singh, the governor of Kashmir, who was alarmed at the Dogra conquests since they only expanded the kingdom of Gulab Singh while not bringing any benefit to the Lahore durbar. His complaint at Lahore was forwarded to Raja Gulab Singh at Jammu and he ordered the Darad Raja to be released.

Tibet expedition

Zorawar Singh turned his energies eastward, towards Tibet. In May, 1841, Zorawar Singh with 6000 most of whom were Hindu Dogras, marched into Ladakh,the troops then invaded Tibet.

One column under the Ladakhi prince, Nono Sungnam, followed the course of the Indus River to its source. Another column of 300 men, under Ghulam Khan, marched along the

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mountains leading up to the Kailas Range and thus south of the Indus. Zorawar himself led 3,000 men along the plateau region where the vast and picturesque Pangong Lake is located. Sweeping all resistance before them, the three columns passed the Mansarovar Lake and converged at Gartok, defeating the small Tibetan force stationed there. The enemy commander fled to Taklakot but Zorawar stormed that fort on 6 September 1841. Envoys from Tibet now came to him as did agents of the Maharaja of Nepal, whose kingdom was only fifteen miles from Taklakot.

The fall of Taklakot finds mention in the report of the Chinese Imperial Resident, Meng Pao, at Lhasa:

"On my arrival at Taklakot a force of only about 1,000 local troops could be mustered, which was divided and stationed as guards at different posts. A guard post was quickly established at a strategic pass near Taklakot to stop the invaders, but these local troops were not brave enough to fight off the Shen-Pa (Dogras) and fled at the approach of the invaders. The distance between Central Tibet and Taklakot is several thousand li...because of the cowardice of the local troops; our forces had to withdraw to the foot of the Tsa Mountain near the Mayum Pass. Reinforcements are essential in order to withstand these violent and unruly invaders''.

Zorawar and his men now went on pilgrimage to Mansarovar and Mount Kailash. He had extended his communication and supply line over 450 miles of inhospitable terrain by building small forts and pickets along the way. The fort Chi-T'ang was built near Taklakot, where Mehta Basti Ram was put in command of 500 men, with 8 or 9 cannon. With the onset of winter all the passes were blocked and roads snowed in. The supplies for the Dogra army over such a long distance failed despite Zorawar's meticulous preparations.

As the intense cold, coupled with the rain, snow and lightning continued for weeks upon weeks, many of the soldiers

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lost their fingers and toes to frostbite. Others starved to death, while some burnt the wooden stock of their muskets to warm themselves. The Tibetans and their Chinese allies regrouped and advanced to give battle, bypassing the Dogra fort of Chi-T'ang. Zorawar and his men met them at the Battle of To-yo on 12 December 1841 — in the early exchange of fire the Rajput general was wounded in his right shoulder but he grabbed a sword in his left hand. The Tibetan horsemen then charged the Dogra position and one of them thrust his lance in Zorawar Singh's chest.

The Treaty of Chushul

"As on this auspicious day, the 3nd of Assuj, samvat 1899 (16th/17th September 1842) we, the officers of the Lhasa (Governrnent), Kalon of Sokan and Bakshi Shajpuh, commander of the forces, and two officers on behalf of the most resplendent Sri Khalsa ji Sahib, the asylum of the world, King Sher Singh ji, and Sri Maharaja Sahib Raja-i-Rajagan Raja Sahib Bahadur Raja Gulab Singh, i.e.. the Muktar-ud-Daula Diwan Hari Chand and the asylum of vizirs, Vizir Ratnun. in a meeting called together for the promotion of peace and unity, and by professions and vows of friendship, unity and sincerity of heart and by taking oaths like those of Kunjak Sahib, have arranged and agreed that relations of peace, friendship and unity between Sri Khalsaji and Sri Maharaja Sahib Bahadur Raja Gulab Singh ji, and the Emperor of China and the Lama Guru of Lhasa will hence forward remain firmly established forever; and we declare in the presence of the Kunjak Sahib that on no account whatsoever will there be any deviation, difference of departure (from this agreement). We shall neither at present nor in the future have anything to do or interfere at all with the boundaries of Ladakh and its surroundings as fixed from ancient times and will allow the annual export of wool, shawls and tea by way of ladakh according to the old established customs. Should any of the Opponents of Sri Sarkar Khalsa ji and Sri Raja Sahib Bahadur at

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any time enter our territories, we shall not pay any heed to his words or allow him to remain in our country. We shall offer no hindrance to traders of Ladakh who visit our territories. We shall not even to the extent of a hair's breadth act in contravention of the terms that we have agreed to above regarding firm friendship, unity, the fixed boundaries of Ladakh and the keeping open of the route for wool, shawls and tea. We call Kunjak Sahib, Kairi, Lassi, Zhon Mahan, and Khushal Chon as witnesses to this treaty.


General Zorawar Singh

February 1, 2014: ZORAWAR SINGH (1786-1841), military general who conquered Ladakh and Baltistan in the Sikh times and carried the Khalsa flag as far as the interior of Tibet. About Zorawar Singh's place of birth authorities differ. Major G. Carmichael Smyth, A Reigning Family of Lahore, says that he was a native of Kussal, near Riasi, now in Jammu And Kashmir State. Hutchison and Vogel have recorded that he was a native of Kahlur (Bilaspur) state, now in Himachal Pradesh.

It is stated that when 16, Zorawar Singh killed his cousin in a dispute over property and escaped to Haridvar, where he met Rana Jasvant Singh, who took him to Galihan, now known as Doda, near Jammu, and trained him as a soldier. He joined service under Gulab Singh Dogra,Gulab Singh employed Zorawar Singh mostly for defending the forts to the north of Jammu. For some time he also worked as an inspector in commissariat of supplies where he did a commendable job by effecting a saving in the much needed provisions about 1823.When Raja Gulab Singh, the feudatory chief of Jammu under Maharaja Ranjit Singh, was appointed governor of Kishtvar, he appointed Zorawar Singh to administer the new district with the title of wazir.



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In Kishtvar, Zorawar Singh introduced fiscal and judicial reforms and had the old fort of Kishtvari rulers renovated. From here he led several expeditions into Ladakh, the first one in the series in July 1834. From Kishtvar, the Dogras entered the Sum valley. After fighting pitched battles at places such as Sanku, Langkartse, Kantse, Sot and Pashkam, the invaders pushed on to Leh, the capital of Ladakh. The Ladakhi king, Tsepal Namgyal, was made to pay war indemnity. He also undertook to pay an annual tribute of Rs 20,000 and acknowledged the suzerainty of Maharaja Ranjit Singh.

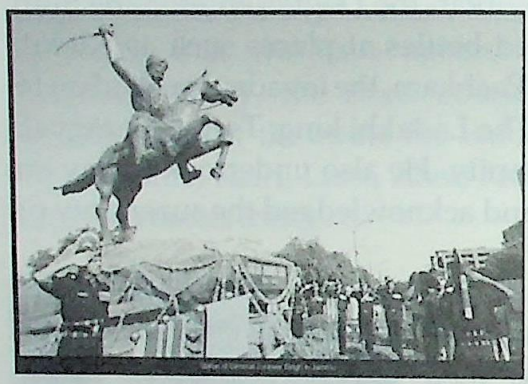


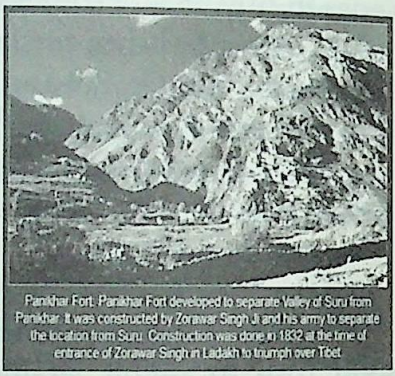
The Ladakhis, however, soon rose in revolt against their new masters and Zorawar Singh launched a second attack. This time he followed the short but difficult Kishtvar-Zanskar route. He quelled the rebellion, deposed the old king and appointed his prime minister and brother-in-law, Nagorub Stanzin, as the new ruler of Ladakh. But Zorawar Singh had to make two more incursions before Ladakh was annexed to the Sikh kingdom in 1840. The same year, Zorawar Singh attacked Baltistan, a Muhammadan principality in the Indus valley, to the northwest of Kargil. He defeated the Baltis and deposed Ahmad Shah, whose eldest son, Muhammad Shah, was installed as the new king of Baltistan.

Zorawar Singh next turned his attention towards western Tibet. The conquest of Tibet was an ambition he had harboured in his heart for some time and, as Sohan Lal Sun, the court chronicler of the Sikh times, records, this was the suggestion he proffered to Maharaja Ranjit Singh when he in March 1836 waited on him at the village of Jandiala Sher Khan to pay nazarana. He told the Maharaja that he was ready to "kindle the fires of fighting" and "by the grace of ever triumphant glory

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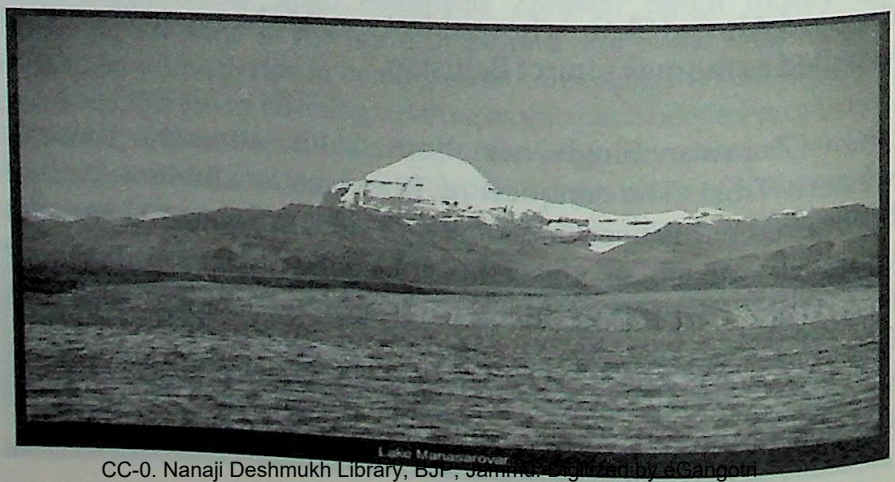
of the Maharaja, he would take possession of it." The Maharaja, however, was not willing to allow him to undertake the adventure.





Panikhar Fort: Panikhar Fort developed to separate Valley of Suru from Panikhar. It was constructed by Zorawar Singh Ji and his army to separate the location from Suru. Construction was done in 1832 at the time of entrance of Zorawar Singh in Ladakh to triumph over Tibet

Zorawar Singh had his chance in the time of Ranjit Singh's successor, Maharaja Sher Singh. In April 1841, by which time the conquest of Ladakh had been completed, he marched into Tibet at the head of a large army and within six months had conquered territory to the north west of the Mayyum Pass. But then a strong Tibetan army descended down from Lhasa and confronted the invaders at Tirthapuri, near Lake Manasarovar. Zorawar Singh could get no reinforcements from Leh or from any other place as heavy snows had blocked all the passes. He fought many a pitched action in the vicinity of Lake Manasarovar and was killed in the last one of these on 12 December 1841.



Lake Manasarovar

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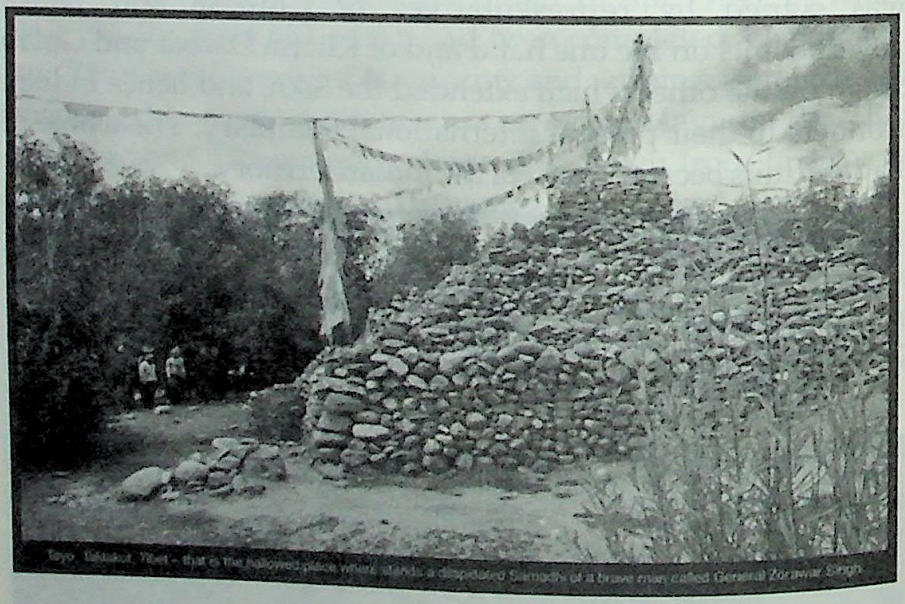
Although this great conqueror perished midcampaign, his initiative did not go unrewarded. In September 1842 a treaty was signed by representatives of Chinese and Lhasa governments on the one hand and of Khalsa Darbar and Gulab Singh on the other which extended the Sikh, and hence Indian, frontiers to their present international boundary. The whole of Ladakh thus became a part of the Indian territory.


A Valley in Ladakh

An English version of the treaty is as follows : As on this auspicious day, the 2nd of Assuj, samvat 1899 (16th/17th September 1842) we, the officers of the Lhasa (Government), Kalon of Sokan and Bakshi Shajpuh, commander of the forces,

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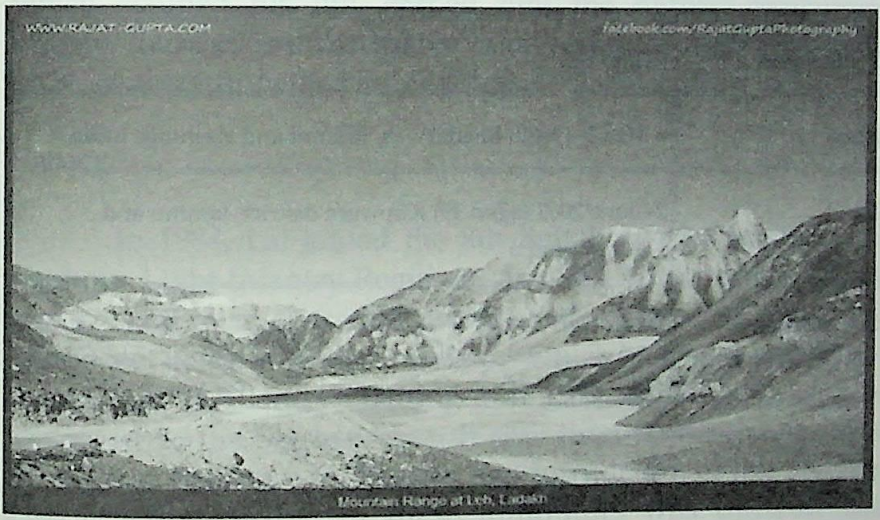
and two officers on behalf of the most resplendent Sri Khalsa ji Sahib, the asylum of the world, King Sher Singh ji, and Sri Maharaja Sahib RajaiRajagan Raja Sahib Bahadur Raja Gulab Singh, i.e.. the Muktar-ud-Daula Diwan Hari Chand and the asylum of vizirs, Vizir Ratnun, in a meeting called together for the promotion of peace and unity, and by professions and vows of friendship, unity and sincerity of heart and by taking oaths like those of Kunjak Sahib, have arranged and agreed that relations of peace, friendship and unity between Sri Khalsa ji and Sri Maharaja Sahib Bahadur Raja Gulab Singh ji, and the Emperor of China and the Lama Guru of Lhasa will hence forward remain firmly established forever ; and we declare in the presence of the Kunjak Sahib that on no account whatsoever will there be any deviation, difference of departure (from this agreement).



We shall neither at present nor in future have anything to do or interfere at all with the boundaries of Ladakh and its surroundings as fixed from ancient times and will allow the annual export of wool, shawls and tea by way of Ladakh according to the old established custom. Should any of the opponents of Sri Sarkar Khalsa ji and Sri Raja Sahib Bahadur at

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any time enter our territories, we shall not pay any heed to his words or allow him to remain in our country. We shall offer no hindrance to traders of Ladakh who visit our territories. We shall not even to the extent of a hair's breadth act in contravention of the terms that we have agreed to above regarding firm friendship, unity, the fixed boundaries of Ladakh and the keeping open of the route for wool, shawls and tea. We call Kunjak Sahib, Kairi, Lassi, Zhon Mahan, and Khushal Chon as witnesses to this treaty.

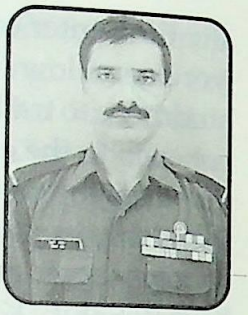


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86

NAIB SUBEDAR CHUNI LAL THE HIGHEST DECORATED SOLIDER OF J&K



Birth name	Chuni Lal
Born	6 March 1968[1] Bhaderwah, Jammu and Kashmir, India
Died	24 June 2007 (aged 39) Kupwara district, Jammu and Kashmir, India
Service/branch	Indian Army
Years of service	1984–2007
Rank	Naib Subedar
Service number	JC-593527
Unit	8 JAK LI
Battles/wars	**Siachen Conflict** Operation Meghdoot, Operation Rajiv **Kargil War**, Operation Vijay, **Kashmir Insurgency**
Awards	Ashok Chakra Vir Chakra Sena Medal

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Naib Subedar Chuni Lal AC VrC SM, was an Indian Army soldier of 8th battalion The Jammu and Kashmir Light Infantry (8 JAK LI). He was born in Bhaderwah,[2] and lived in Bhaar village in Doda district of Jammu. Decorated with Vir Chakra and Sena Medal (Gallantry),[3] JC-593527, Lal was killed on 24 June 2007[3] in a militant flush-out operation in Kashmir's Kupwara sector. These militants, all of whom were also shot dead, were trying to cross the Line of Control (LoC) and enter Indian territory. The success of this militant flush-out operation, which claimed his life, earned him the highest peacetime military decoration awarded for valor, courageous action or self-sacrifice away from the battlefield, the Ashok Chakra.

Career

In 1984, Lal joined the 8th Battalion, The Jammu and Kashmir Light Infantry Regiment. In 1987, he volunteered and participated in an operation to capture the Bana Post, located at 21,153 feet in the Siachen Glacier, for which he was awarded the Sena Medal (Gallantry). During June 1987, the 8th JAK LI, was deployed in the Siachen area. It was then found that a large number of Pakistani infiltrators had intruded over the Siachen Glacier. The ejection of these infiltrators was difficult but necessary and a special task force was constituted for this purpose. Chuni Lal and other soldiers of the unit such as Naib Subedar (later Sub Maj and Hony Capt) Bana Singh volunteered to join this force. The Pakistani intrusion had taken place at a height of 6500 metres at the highest peak in the Siachen Glacier area. From this feature the Pakistanis could snipe at Indian army positions since the height gave them a clear view of the entire Saltoro range and Siachen glacier. The Pakistanis called this post 'Quaid post' after their founder Quaid-e-azam Mohammad Ali Jinnah. The enemy post was a glacier fortress with ice walls, 457 metres high, on either side. On 26 June 1987, Naib Subedar Bana Singh led Chuni Lal and other men through an extremely difficult and hazardous route. These men crawled and closed in on the adversary and cleared the post of all intruders. This

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operation was named as Operation Rajiv and Nb Sub Bana Singh was awarded Param Vir Chakra for courage and bravery.

In 1999, in the Poonch sector of Jammu and Kashmir during Operation Rakshak, he fought an attempted intrusion by the Pakistan Army and was instrumental in killing 12 intruders and saved the post from enemy capture. He was awarded the Vir Chakra, for gallantry.

He also did two tenures with the United Nations Peace Keeping Force in Somalia and Sudan. Display of exemplary courage by his team in Sudan won his unit a UN citation for valour.

On 24 June 2007, Lal was in charge of a post in Kupwara, Jammu and Kashmir. The post was at height of 14,000 feet where visibility on that cloudy night was just 5 metres and temperature was minus 5 degrees. Around 3:30am, he detected some movement across the fence on the Line of Control and decided to check it. He deployed his soldiers at the LoC. An exchange of fire followed, which continued for almost an hour. Nb Sub Chuni Lal and his soldiers surrounded the whole area and searched for their assailants till dawn. Finally as Nb Sub Chunni Lal and his team were approaching to search a sketchy bushy patch, they were suddenly fired upon. The men continued to close on to the area where their attackers were hiding and killed two of them on the spot. In the gunfire, two army soldiers were seriously wounded and lay close to where their attackers hid. With disregard to his personal safety, Chuni Lal crawled towards the wounded men and pulled them to safety thus saving their lives. Anticipating more hidden attackers, he continued to search the area. His anticipation proved right and he saw a third attacker trying to escape. Nb Sub Chuni Lal charged at him with his weapon and killed him. Unfortunately, an exchange fire from the attacker split opened Nb Sub Chunni Lal's abdomen and he began to lose lot of blood. He took cover behind a rock, continued to fire and did not allow the other attackers to break the cordon. Under his leadership the two remaining attackers

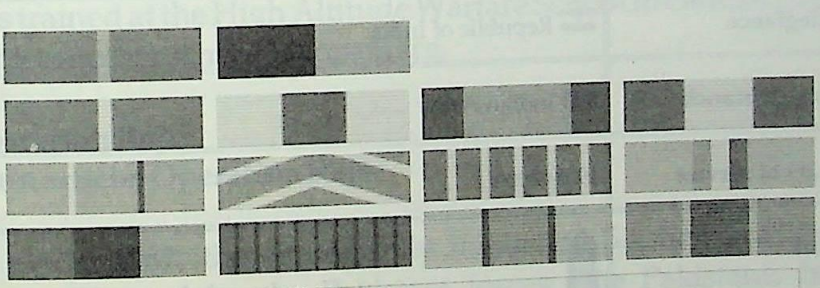
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were also killed.

Chuni Lal had lost a large volume of blood and died by the time a helicopter could airlift him to nearest Army Hospital. For his actions in battle, Nb Sub Chuni Lal was posthumously awarded the Ashok Chakra on 15 August 2007[4] for saving the lives of his fellow men, displaying most conspicuous bravery, demonstrating battle field leadership and laying down his life to protect the country.

Nb Sub Chuni Lal is survived by his wife, Mrs Chinta Devi, and three children - son and two daughters. His wife, Mrs Chinta Devi received his Ashok Chakra medal from the President of India at the Republic Day Paradeof 26 January 2008.

Gallantry Awards



Ashok Chakra		Vir Chakra	
Sena Medal	Wound Medal	Special Service Medal	Siachen Glacier Medal
Sainya Seva Medal	High Altitude Medal	Videsh Seva Medal	50th Anniversary of Independence Medal
20 Years Long Service Medal	9 Y ears Long Service Medal	United Nations Medal- Somalia	United Nations Medal- Congo

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87

HONORARY CAPTAIN BANA SINGH,



Honorary Captain Bana Singh, wearing his PVC medal.

Born	6 January 1949 (age 68) Kadyal, Jammu & Kashmir, India
Allegiance	Republic of India
Service/branch	Indian Army
Years of service	1969–2000
Rank	Honorary Captain
Service Number	JC-155825[1]
Unit	8 JAK LI
Battles/wars	**Siachen Conflict** Operation Meghdoot, Operation Rajiv
Awards	Param Vir Chakra

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Subedar Major and Honorary Captain Bana Singh, PVC (6 January 1949) is a retired Indian soldier and a recipient of the nation's highest military award, the Param Vir Chakra. He has held the ranks Naib Subedar, Subedar, Subedar Major and Honorary Captain in the Indian Army. As a Naib Subedar, he led the team which conquered the highest peak in the Siachen area as part of Operation Rajiv. The peak was named as "Bana Post" in his honour

Early life

Bana Singh was born into a Sikh family in Kadyal in Jammu and Kashmir on 6 January 1949. His father was a farmer and his uncles were soldiers in the Indian Army.
He enrolled in the Indian Army on 6 January 1969 into the 8th Battalion of the Jammu and Kashmir Light Infantry (JAK LI). He was trained at the High Altitude Warfare School in Gulmarg and also at another school at Sonamarg.

Operation Rajiv
Main article: Operation Rajiv

In 1987, the strategically important Siachen area had been infiltrated by the Pakistani forces. The Pakistanis had captured an important position, which they called "Quaid post" (from Quaid-e-Azam, the title of Muhammad Ali Jinnah). The post was located at a height of 6500 metres on the highest peak in the Siachen Glacier area (the peak was later renamed to "Bana Top" by the Indians, in honour of Bana Singh). From this feature the Pakistanis could snipe at Indian army positions since the height gave a clear view of the entire Saltoro range and Siachen glacier. The enemy post was virtually an impregnable glacier fortress with ice walls, 457 metres high, on either side.[7]

On 18 April 1987, the Pakistanis from Quaid Post fired on the Indian troops at Point Sonam (6,400 m), killing two soldiers.

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The Indian Army then decided to evict the Pakistanis from the Post. Naib Subedar Bana Singh was posted in Siachen on 20 April 1987, as part of the 8th JAK LI regiment, which was given the task of capturing the Quaid Post. On 29 May, a JAK LI patrol led by Second lieutenant Rajiv Pande made at an unsuccessful attempt of capturing the post, resulting in deaths of 10 Indian soldiers. After a month of preparation, the Indian Army launched a fresh operation to capture the post. This operation, called "Operation Rajiv" in honour of 2/Lt Rajiv Pande, was headed by Major Varinder Singh.

Starting on 23 June 1987, Major Varinder Singh's task force launched multiple attacks to capture the post. After initial failures, the 5-member team led by Nb Sub Bana Singh successfully captured the Quaid post on 26 June 1987. Nb Sub Bana Singh and his fellow soldiers, including Chuni Lal, climbed the steep 457 m high wall of ice. The team approached the Quaid Post from an unexpected direction, using a longer and more difficult approach than the other teams. There was a blizzard, resulting in poor visibility, which gave cover to the Indian soldiers. After reaching the top, Nb Sub Bana Singh found that there was a single Pakistani bunker. He lobbed a grenade into the bunker and closed the door, killing those inside. The two sides also got involved in a hand-to-hand combat, in which the Indian soldiers bayoneted some of the Pakistani soldiers outside the bunker. A few Pakistani soldiers jumped off the peak. Later, the Indians found six dead bodies of Pakistani soldiers.

On 26 January 1988, Nb Sub Bana Singh was awarded the Param Vir Chakra, the highest wartime gallantry medal in India for his bravery during Operation Rajiv. The peak which he captured was renamed Bana Top in his honour. At the time of the Kargil War, he was the only PVC awardee who was still serving in the Army.

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Param Vir Chakra Citation

The Param Vir Chakra citation on the Official Indian Army Website reads as follows:

CITATION
NB SUB BANA SINGH
8 JAK LI (JC-155825)

Naib Subedar Bana Singh volunteered to be a member of a task force constituted in June 1987 to clear an intrusion by an adversary in the Siachen Glacier area at an altitude of 21,000 feet. The post was virtually an impregnable glacier fortress with ice walls, 1500 feet high, on both sides. Naib Subedar Bana Singh led his men through an extremely difficult and hazardous route. He inspired them by his indomitable courage and leadership. The brave Naib Subedar and his men crawled and closed in on the adversary. Moving from trench to trench, lobbing hand grenades and charging with the bayonet, he cleared the post all intruders.

Nb Subedar Bana Singh displayed the most conspicuous gallantry and leadership under the most adverse conditions.

After retirement

Nb Sub Bana Singh was promoted as Subedar and eventually as Subedar Major.He was given the honorary rank of Captain. Hony Capt Bana Singh retired from service on 31 October 2000. The Jammu & Kashmir Government gave him a pension of ₹ 166 per month. Bana Singh protested against the low amount, pointing out that the neighbouring states of Punjab and Himachal Pradesh provided a monthly pension above ₹ 10,000 to the Param Vir Chakra winners. In October 2006, the Punjab Government led by Captain Amarinder Singh announced a cash award of ₹ 1,000,000 for him. The cheque was presented to Bana

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Singh by Amarinder's successor Parkash Singh Badal in March 2007.[13] The Punjab Government also offered him ₹ 2,500,000, a monthly allowance of ₹ 15,000 and a 25-acre plot (Worth Crores), if he moved to Punjab. However, he refused the offer, saying that he is a resident of J&K. The J&K Government named a stadium in the RS Pura area of Jammu after him, and sanctioned an amount of Rs 5,000,000 for its development in 2010. However, in 2013, The Tribune reported that the funds had not been released, and the Bana Singh Memorial Stadium was in a poor shape.[15Bana Singh's son Rajinder Singh joined the Indian Army in 2008, at the age of 18.

Source: Internet

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BRIGADIER RAJINDER SINGH



The Government of India should designate 26 October as Martyrs' Day in memory of the unsung war hero tribute Brigadier Rajinder Singh.

Snapshot

As Maharaja Hari Singh of Jammu and Kashmir signed the Instrument of Accession to India on this day, 70 years ago, Brigadier Rajinder Singh defended a state under siege.
What better tribute can we pay this unsung war hero other than declaring 26 October as Martyrs' Day.'

The date, 26 October, does not stir anything significant in the minds and hearts of the majority of this country. It is not a special birthday or a religious holiday that is etched in the conscience of India. One has to do a Google search to realise that

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70 years ago, Maharaja Hari Singh of Jammu and Kashmir signed the Instrument of Accession to India as the region was under siege from Pakistani forces. The accord mobilised the Indian Army to repel the invaders weeks after the nation gained Independence.

The story that many won't find through a Google search, however, is that of Brigadier Rajinder Singh and his band of warriors who died defending the Kashmir valley. He was martyred the same day Maharaja Hari Singh signed that historic document uniting Jammu and Kashmir with India, a sacrifice that honoured the simple words of that contract. Brigadier Singh was the first recipient of the Mahavir Chakra in Independent India, yet this warrior is barely known to the nation he served, let alone outside the Jammu region. On the seventieth anniversary of his martyrdom, the nation must recognise the service of this brave soldier who defended not just the Kashmir valley in India's first war with Pakistan but the entire nation – 26 October should be declared as Martyrs' Day.

On 21 October 1947, Pakistani forces besieged Jammu and Kashmir after Maharaja Hari Singh declared independence. They tried to take control of the region by force, hoping that the dominant Muslim community would support them. They entered Kashmir via Baramulla and targeted the Sikh and Kashmiri *pandits*, committing rape, murder and arson in a bid to 'purge' the land.

Under siege, on 22 October 1947, Maharaja Hari Singh ordered Brigadier Singh, who served as the chief of army staff of Jammu and Kashmir, to defend the state "till the last man and the last bullet". Maharaja Hari Singh's son, Dr Karan Singh, in an interview remembers the day the order was given. In fact, he was present in the room when Maharaja Hari Singh gave that historic command. "It was a worrying situation," he says. "Brig Rajinder Singh was given an order by my father and he just saluted and walked away."

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Brigadier Singh gathered 110 soldiers and moved to Muzaffarabad to counter the invading force of over 6,000 militiamen. He used guerrilla tactics to delay their advance, blowing up the Uri bridge and stalling them in Mahura and Rampur, inflicting heavy casualties. For four days, Brigadier Singh and his brave *jawans*hindered the progress of the Pakistani invaders. This may have been the first time in contemporary military history where an army chief personally led soldiers in combat.

As Brigadier Singh and his men fought, on 26 October, Maharaja Hari Singh signed the Instrument of Accession joining the Union of India. The Indian military rushed in to back Brigadier Singh; however, just hours away from his position, he was ambushed at Buniyar and fatally wounded. He had held fort and repelled the invaders long enough for the Indian Army to push them back, saving thousands from a brutal onslaught. He carried out his orders to the letter, setting an unparalleled example of courage and patriotism. "If Brig Rajinder Singh had not stopped the Pakistani invaders, if he didn't sacrifice his life, Kashmir may not have been a part of India," says Dr Karan Singh.

For the people of Jammu, Brigadier Singh is known as the 'Immortal Dogra' and the 'Saviour of Kashmir'. He hailed from the Duggar or the Dogra people of Jammu, a community deeply entrenched in the armed forces of India for several generations. He continues to be an inspiration for people across Jammu, and almost every household has one or two members serving in the armed forces, many defending the border and the Kashmir valley.

The day 26 October is commemorated as a 'Black Day' by separatists in the Kashmir valley, as they rage against the armed forces and the Indian Union. Not only Jammu, Ladakh and Kashmir, but the entire nation should honour the sacrifice of

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India's first war hero as a strong counter to the separatist narrative. A celebration of his life and service will send a strong message to our brave serving *jawans* who battle terrorists and stone-pelters to defend the country. Brigadier Singh's sacrifice is the reason why Indians claim Kashmir to be an integral part of the country. He is a symbol of India's commitment to fight and die for Kashmir. His memory makes the separatist call meaningless – a fool's dream that history has denied and the future will never allow.

The Government of India should designate 26 October as Martyrs' Day. We must remember the will and the sacrifice that has kept the Union of India together. Our history is a testimony to how our country is a more enduring force than the blind fury of the misguided and the resolve of the cowards. Even as tensions abound in the Kashmir valley, the soil is laden with the blood and spirit of heroes like Brigadier Singh and will never accede to those who would see its beauty burn just to rule over ashes.

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BRIGADIER MOHAMMAD USMAN



Brigadier Mohammad Usman MVC "Nowshera ka Sher"	
Born	15 July 1912 Bibipur, Mau district, United Provinces, British India
Died	3 July 1948 (aged 35) Nowshera, Jammu and Kashmir, India
Allegiance	British India Dominion of India
Service/branch	British Indian Army **Indian Army**
Years of service	1934 -1948
Rank	Brigadier
Unit	10th Baluch Regiment Dogra Regiment
Commands held	50 Para Brigade, 77 Para Brigade, 14/10 Baluch
Battles/wars	Indo-Pakistani War of 1947

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Mohammad Usman was born in Bibipur, Mau district, United Provinces, British India on July 15, 1912 to Jamilun Bibi and Mohammad Faqooq Khunambir. Usman and his younger brothers, Subhan and Gufran, were educated at Harish Chandra Bhai School, Varanasi. At the age of 12, he had jumped into a well to rescue a drowning child.

Usman later made up his mind to join the Army, and despite the limited opportunities for Indians to get commissioned ranks and despite intense competition, he succeeded in gaining admission to the prestigious Royal Military Academy Sandhurst (RMAS). He entered RMAS in 1932, was commissioned as a Second Lieutenant and appointed to the Unattached List for the Indian Army on 1 February 1934. He was attached in India to the 1st battalion of the Cameronians on 12 March 1934 for a year.

At the end of his year with the Cameronians, on the 19 March 1935, he was appointed to the Indian Army and posted to the 5th battalion of the 10th Baluch Regiment (5/10 Baluch). Later in the year he saw active service on the –North-West Frontier of India during the Mohmand campaign of 1935. He qualified as a 1st class interpreter in Urdu in November 1935.

Usman was promoted to the rank of Lieutenant on 30 April 1936 and Captain on 31 August 1941. By April 1944, he was a temporary Major. He served in Burma and was mentioned in dispatches as a temporary Major in the London Gazette 27 September 1945. He commanded the 14th battalion of the 10th Baluch Regiment (14/10 Baluch) from April 1945 to April 1946.

During the partition of India, Usman, being a Muslim officer in the Baluch Regiment, was under intense pressure from the Pakistani leadership to opt for the Pakistan Army. However, despite the fact he was promised a future position as the Pakistan Army Chief, he was unconvinced. When the Baluch Regiment was allotted to Pakistan, Usman was transferred to the Dogra Regiment.

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Indo-Pakistani War of 1947

In 1947 Pakistan sent tribal irregulars into the princely state of Jammu and Kashmir in an attempt to capture it and accede it to Pakistan. Usman, then commanding the 77th Parachute Brigade, was sent to command the 50th Parachute Brigade, which was deployed at Jhangar in December 1947. On 25 December 1947, with the odds stacked heavily against the brigade, Pakistani forces captured Jhangar. Located at the junction of roads coming from Mirpur and Kotli, Jhangar was of strategic importance. On that day Usman took a vow to recapture Jhangar – a feat he accomplished three months later, but at the cost of his own life.

In January–February 1948 Usman repulsed fierce attacks on Nowshera and Jhangar, both highly strategic locations in Jammu and Kashmir. During the defence of Nowshera against overwhelming odds and numbers, Indian forces inflicted around 2000 casualties on the Pakistanis (about 1000 dead and 1000 wounded) while Indian forces suffered only 33 dead and 102 wounded. His defence earned him the nickname **Lion of Nowshera**. Pakistani forces then announced a sum of Rs 50,000 as a prize for his head. Unaffected by praise and congratulations, Usman continued to sleep on a mat laid on the floor as he had vowed that he would not sleep on a bed till he recaptured Jhangar, from where he had had to withdraw in late 1947.

The then Lieutenant General K M Cariappa (later General and Chief of Army Staff and years after retirement made Field Marshal), who had taken over as Western Army Commander, brought his tactical headquarters forward to Jammu to oversee the conduct of two important operations, namely the capture of Jhangar and Poonch. The operations commenced in the last week of February 1948. The 19th Infantry Brigade advanced along the northern ridge, while the 50th Parachute Brigade cleared the hills dominating the Nowshera-Jhangar road in the south.

The enemy was eventually driven from the area, and Jhangar was recaptured. Pakistan brought its regular forces into

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the fray in May 1948. Jhangar was once again subjected to heavy artillery bombardment, and many determined attacks were launched on Jhangar by the Pakistan Army. However, Usman frustrated all their attempts to recapture it. It was during this defence of Jhangar that Usman was killed on July 3, 1948, by an enemy 25-pounder shell. He was 12 days short of his 36th birthday. His last words were "I am dying but let not the territory we were fighting for fall for the enemy". For his inspiring leadership and great courage, he was awarded the Maha Vir Chakra posthumously.

Indian Prime Minister Jawaharlal Nehru and his Cabinet colleagues attended the funeral of Usman — "the highest ranking military commander till date" to lay down his life in the battlefield. He was given a state funeral of a martyr. An Indian journalist, Khwaja Ahmad Abbas, wrote about his death, "a precious life, of imagination and unswerving patriotism, has fallen a victim to communal fanaticism. Brigadier Usman's brave example will be an abiding source of inspiration for Free India" Usman was awarded the Maha Vir Chakraposthumously.

Personal life

Usman was a teetotaller and remained a bachelor throughout his life. He used to donate a large part of his salary to support poor children and pay for their education.

Memorial

Usman is buried in a grave in the Jamia Millia Islamia campus in New Delhi.

Upender Sood, a film director, has produced a film on life of Usman.

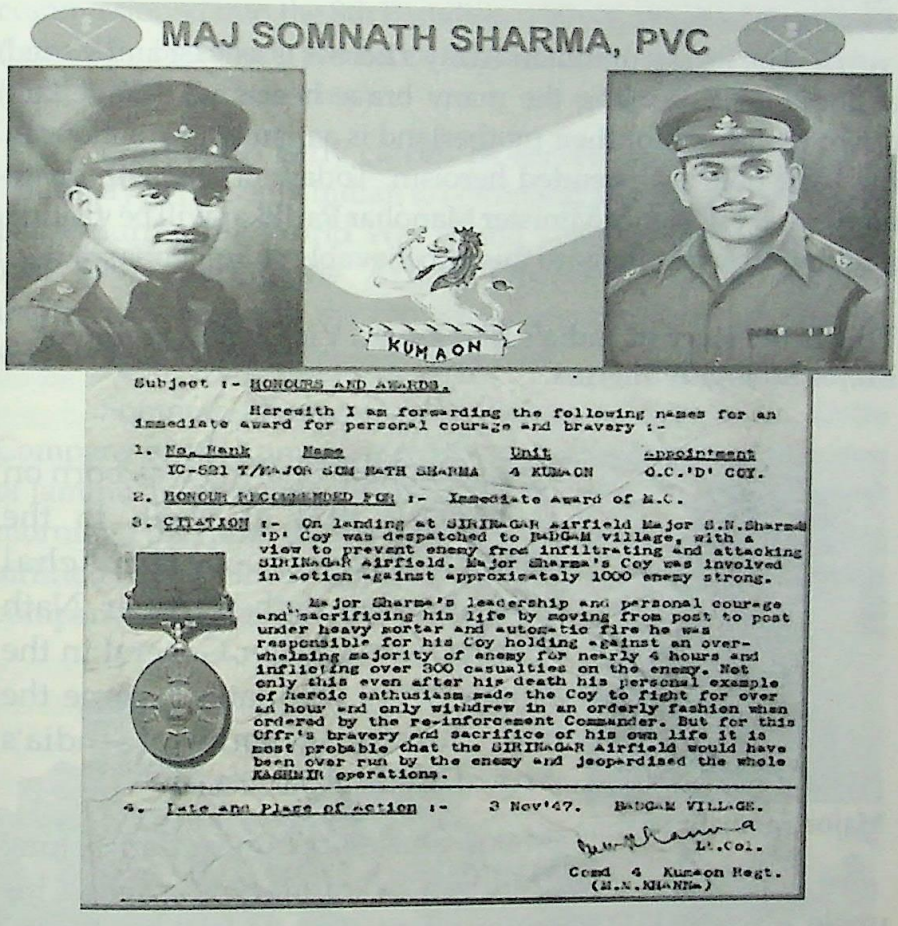
His birth centenary was celebrated in 2012 by the Indian Army at Jhajjar, Haryana A Paramotor Expedition was organized by Gorkha Training Centre in the memory of Brigadier Usman.

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MAJOR SOMNATH SHARMA



Major Somnath Sharma's PVC Citation

Soldiers like Major Somnath Sharma are not born every day. The sacrifice of this heroic warrior must forever be remembered with gratitude by the country he died protecting. On his 69th death anniversary, we remember and salute India's first Param Vir Chakra recipient.

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"The enemy is only 50 yards from us. We are heavily outnumbered. We are under devastating fire. I shall not withdraw an inch but will fight to the last man and the last round." - Major Somnath Sharma, India's First Param Vir Chakra.

The legacy of Indian Army's heroes is as vast and varied as India itself. Among the many brave hearts who have laid down their lives for their motherland is a man whose actions in the battlefield transcended heroism. Today, on his 69th death anniversary, Defence Minister Manohar Parikkar will be visiting Kashmir to pay homage to this unbelievably courageous soldier.

This is the story of India's first Param Vir Chakra recipient, Major Somnath Sharma.



Major Somnath Sharma

Major Somnath Sharma was born on 31 January 1923 at Dadh in the Kangra district of Himachal Pradesh. His father, Amar Nath Sharma, was a Major General in the Indian Army who later became the first director general of India's Armed Medical Services.

Major Sharma's family had a long tradition of military service - his uncle, Captain K D Vasudeva, had died defending a bridge on the River Slim against the Japanese during the Malayan Campaign in World War II. Vasudeva's gallantry had made it possible for hundreds of his jawans to cross over to safety, a fact that greatly influenced Major Sharma throughout his career.

Deeply inspired by his father and uncle, Som (as his friends and family called him) had already decided that he

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would join the Indian Army when he was still a child. After completing his schooling from Sherwood College in Nainital, he enrolled at the Prince of Wales Royal Military College in Dehradun before joining the Royal Military College at Sandhurst. On February 22, 1942, Somnath Sharma was formally commissioned into the 8th Battalion, 19th Hyderabad Regiment (later 4th Battalion, Kumaon Regiment) of the Indian Army (then British Indian Army).

During his early career, he served under Colonel K S Thimmayya (the only Indian to command an Infantry brigade in battle during the World War II and Chief of the Army Staff, 1957–1961) during the Arakan Operations in Burma. For meritorious action in the face of the enemy, Somnath Sharma was awarded a 'Mention-in-Despatches'.

Somnath Sharma was serving as a Major in the Delta Company of 4th Kumaon regiment when the Pakistani invasion of Jammu and Kashmir began on October 22, 1947. By the next morning, the first troops and equipment had begun being airlifted from Delhi's Palam airport to Srinagar. Major Sharma's company too was airlifted to Srinagar on October 31, 1947.



Indian troops landing at the Srinagar airport on October 27, 1947

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At that time, Major Sharma's right hand was in a plaster cast due to a fracture he had suffered while playing hockey. Though he was advised rest due to his injury, the major insisted on being with his company in the battlefield and was given permission to command his unit. Their mission was simple – hold the valley of Kashmir, repel all invaders, defend the newly independent state of India.

Two days later on November 3, the enemy had reached Badgam, a small town just a few miles away from the Srinagar airfield. On learning this, Brigadier L.P. 'Bogey' Sen, commander of the 161 Infantry Brigade in Srinagar, immediately dispatched Major Sharma and his company to Badgam.

Major Somnath Sharma reached Badgam at first light on November 3 and ensured that his troops took up a fighting position immediately. Enemy movement had been seen near the Badgam village but Major Sharma surmised that the movement in Badgam village was meant to divert attention while the real attack would come from the west. He was right.

First light on November 3 and ensured that his troops took up a fighting position immediately. Enemy movement had been seen near the Badgam village but Major Sharma surmised that the movement in Badgam village was meant to divert attention while the real attack would come from the west. He was right.

It was 2:30 PM in the afternoon when a 500-strong force of tribal lashkars (raiders), supported by powerful mortars, attacked the 50 Indian jawans of Major Sharma's company. Surrounded by the enemy from three sides, 4 Kumaon began sustaining heavy casualties from the ensuing mortar bombardment. Outnumbered by 7 to 1, Sharma immediately sent a request to Brigadier 'Bogey' Sen for reinforcements.
Major Somnath Sharma knew the importance of holding onto

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his position. The Srinagar airfield was the only lifeline the Army had between the Kashmir Valley and the rest of India – had the enemy seized the airfield, they would have been able to block the induction of Indian troops into the Valley by air.

Realising the gravity of the situation, he ran from post to post, often exposing himself to danger as he urged his company to fight bravely. Two forward platoons had already fallen but Major Sharma ensured that his company clung to its position tenaciously, even under heavy fire.

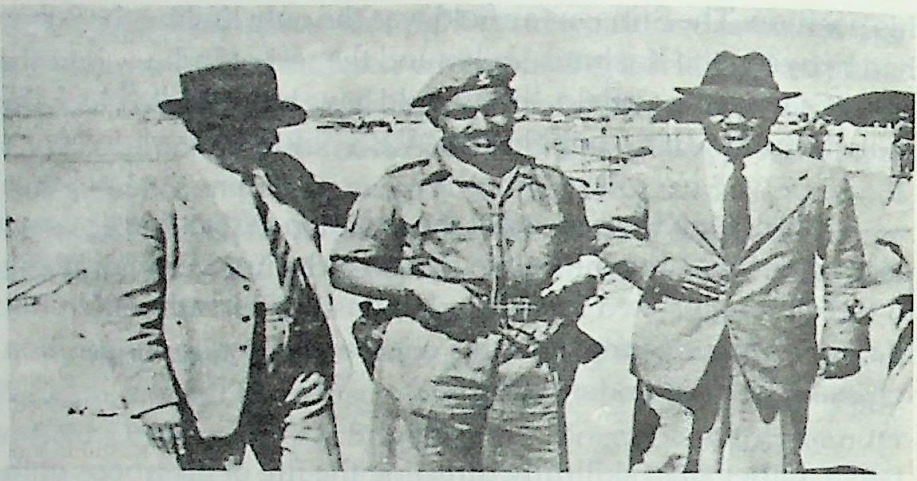
Other than skillfully directing the fire of his troops onto the ever-advancing enemy, Major Sharma himself took up the task of filling magazines and issuing them to the light machine gunners. Even though he himself was hindered by his fractured arm, he wanted to make sure that the casualties didn't affect the speed and effectiveness of his light automatics gunners

The last message Major Sharma sent to the headquarters stated:

' The enemy are only 50 yards from us. We are heavily outnumbered. We are under devastating fire. I shall not withdraw an inch but will fight to the last man and the last round.'

Soon after, Major Somnath Sharma was martyred in a mortar shell explosion, fighting till his last breath to stem the tide of the enemy advance. However, his sacrifice did not go in vain. Inspired by their leader's gallantry and tenacity, the soldiers continued to fight the enemy for six hours after Major Sharma had been killed.

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Major Somnath Sharma (centre)

The spirited defense by 4th Kumaon Regiment delayed the enemy for six crucial hours, thus gaining time for reinforcements to get into position. However, by the time the relief company of 1st Battalion Kumaon Regiment reached Badgam, the position had suffered heavy damage. Along with Major Somnath Sharma, one Junior-commissioned officer and 20 other soldiers of the D company of 4 Kumaon had been killed in battle.

Despite the fact that 4th Kumaon had suffered over 20 casualties, it had inflicted much heavier losses on the enemy. The raiders had lost over 200 men and their leader had been incapacitated, resulting in their movement losing its impetus. This also bought time for additional Indian troops to land at the airport, reorganize and block all routes of ingress to Srinagar.
You May Like: 'This Unsung Heros Act of Extraordinary Courage Led the Indian Army to Victory in the Kargil War .

Led by incredibly courageous Major Somnath Sharma, 4th Kumaon Regiment had prevented the fall of Srinagar and arguably the Kashmir Valley. For his selflessness, dogged determination and raw courage in the face of the enemy, Major

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Somnath Sharma was posthumously awarded independent India's highest wartime gallantry award, Param Vir Chakra.

His citation read:

"His leadership, gallantry and tenacious defence were such that his men were inspired to fight the enemy outnumbering them. Major Sharma set an example of courage and qualities seldom equaled in the history of the Indian Army."

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SYMBOL OF DUGGAR VALOUR-VEER BANDA VAIRAGI

Rajput Ramdev, known for his bravery and sense of commitment, lived in a small village, Rakore in the state of Poonch. He was known as 'Arrow and Bow' man. In Samvat 1727 in the month of Kartik (1670 A.D.) Ramdev was blessed with a son, who was later known as Lakshman Dev. He up to be a bold and fearless man, with wonderful spark in his eyes and unusual glow on his face.

Once, he had erroneously killed a deer with an arrow. On being hit, the offspring's she was carrying in her womb came out. Moved by this incident, Lakshman Dev threw away his arrow and bow and became a sanyasi.

He went off to the south and started living like a hermit practising austerity. The fame of this young sanyasi spread far and wide in the region and he was now known as Madhav Das Vairagi. He wore saffron robe and went into deep meditation. Around the same time, the cruelty and misdemeanour of Muslims had increased in the northern India. In Delhi, for the protection of Hindu Dharma Guru Teg Bahadur sacrificed his life. His son Guru Govind Singh's two young sons were brick-laid alive in the wall. Two more sons of Guru Govind Singh, both young, laid down their lives in the battle of Chamkor Durg. Madhav Das Vairagi already knew about incidents.

Guru Govind Singh preached his followers to take up

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arms. He laid the foundation of 'Khalsa Panth' to save 'Dharma'. He took up the task of awakening, preaching and organizing people. He was deeply hurt and agitated by the sacrifice ofhis father and two young sons. Around that time, Guru Govind Singh met the young sanyasi Madhav Das in a small hut on the banks of river Godavari. He was in deep meditation; there was a mesmerizing glow on his face which impressed Guru Govind Singh. After a while, Vairagi opened his eyes. Both, Guru Govind Singh and Vairagi had a good look at each other and a special bonding between the two took place. Guru Govind Singh told Vairagi, "You are engrossed in salvation in this isolated place. The nation is on fire, temples are being destroyed, children are being brick-laid alive in the walls, women, mothers, and daughters are being humiliated, Hindus are being forced to become Muslims. Don 't these things cause anguish and pain in you? Don't you feel perturbed and shocked? Is your Dogra blood at peace in the midst of all that is happening? Do you prefer deep meditation in this isolated place to the pain and suffering your nation, society and community are passing through? Just think over it and decide for yourself, Bharat Mata (Mother India) is calling you." Vairagi's face turned red with anger and disbelief. He fell down at the feet ofGuru Govind Singh and said, "I am your servant from now onwards. Please give me order and guide me about what is to be done. I am the son of Bharat Mata. I will sacrifice everything for the sake of Dharma, nation and Hindu Honour. I'll not rest in peace till all the humiliation that has been heaped on our people is avenged."

Guru Govind Singh lifted Vairagi and embraced him. He, then came to be known as Banda Vairagi. He discarded his dhooni, the smoke ofausterity, gave up his safron robe and took up arrow and bow. A new saviour was bom in him for whom, fighting for the honour ofthe nation and religion became his only way of worship and meditation. Arms became his companions.

This is how Guru Gobind Singh taught Vairagi the lesson

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of Karmyog (action) and motivated him to take up arms to protect his faith, religion and the nation. Vairagi was 36 year old at that time. In the month of Shrawan in Samvat 1764, Vairagi, along with his entourage, travelling through Khanda and various other places, reached Hisar, by which time he had raised a small group of volunteers to join his mission.

First of all, he decided to punish the Nawab of Sirhind who had ordered the gruesome killing of Guru Gobind Singh's sons. In Jayeshth of Samvat 1764, he attacked Sirhind. In the fearsome battle, the brave soldiers of Vairagi fought hard and destroyed the forces of Nawab. Those who survived ran away leaving behind their arms and ammunition. Vairagi took out his sword and unleashed a ferocious attack on the Nawab 's forces. Seeing Vairagi's total domination in the battle, Sikh army launched its fierce attack on the Sirhind army. The brave Sikhs inflicted heavy cast alties in the ranks of Pathans. Wazir Khan tried to escape but he was caught by Vairagi's soldiers. Vairagi 's mission had been achieved. To avenge the brutal killing of the Guru's two sons, he ordered that the city of Sirhind be destroyed. Wazir Khan, with his face blackened was paraded in the city in a large procession; he was kicked, abused and thrown into a burning pyre.

At last, Muslim rulers resorted to intrigue and guile to redeem the situation. They spread ruinous of differences between Vairagi and the Sikhs. In Samvat 1773, a grand Baisakhi fair was held in Amritsar. Vairagi and Sikhs from all over the country joined the celebrations. An anti-Vairagi party called ' Tat-Khalsa 'was formed.

To hurt and humiliate Vairagi, they looted his people which posed an awlill situation before him. He maintained his composure. proceeded cautiously and decided to re-organise his force. He made a solemn resolve to attack Lahore and fight a decisive battle of his life. To execute his plan, he anchored his

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forces in Baghbanpura near Shalimar Gardens. On learning this development, Suba-Lahore (Lahore's Administrator) Aslam Khan was shaken.

He tried to get the Tat-Khalsa force on his side and approached them for support. Tat Khalsa despatched an army of 5,000 Sikh soldiers under the command of Sardar Mir Singh to aid and assist Aslam Khan. Vairagi's army pounced upon Suba's forces and inflected a crushing defeat. A large number of Suba's soldiers fled away Aslam Khan immediately pushed the Tat-Khalsa soldier son the war front. Though Vairagi's forces were highly motivated and strong. But when Vairagi saw Sikh soldiers facing him, he was shocked. He withdrew his men as his conscience was in total dissary.

With a heavy heart, Vairagi returned to the fort of Gurdaspur along with his men. In Samvat 1776, a huge force of 30,000 soldiers led by a brilliant commander Abdul Samad Khan, proceeded to cursh the forces of Vairagi. Armed groups of soldiers from Lahore and Jalandhar moved towards Gurdaspur fort. All passages to the fort were blocked. Vairagi, determined to sacrifice his life, ordered to open all the gates of the fort. As soon as the gates were opened, the Muslim army barged into the fort. Vairagi 's army surrendered. Vairagi and his deputies were caught and brought to Delhi tied with heavy chains. The Kazi of Delhi pressurized Vairagi and his men to accept Islam. But none of them succumbed to the pressure. I having failed in his coercive methods, Kazi decided to kill 100 people daily and thus commenced the mass slaughter in front of Kotwali.

The people of Delhi were stunned to see how Vairagi 's men were laying down their lives with smile on their face. On the eight day, it was the turn of Vairagi to be killed and a large number of courtiers assembled to witness the scene. Even in the last moments of his life, there was captivating glow and Divine calm on his face. King Farukhsear too reached the spot to witness

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the sacrifice of Vairagi. The King asked Vairagi, "What kind of death you would like to have?" Vairagi replied, "You can take away my life the way you like. I am Vairagi (a detached person). I am a Hindu having finn faith in the immortality of soul. " The King was perplexed to hear this. As per his order, spears carrying heads of Vairagi's men were put around him. First he was asked to kill his own four year old son which he refused to do. Showing gruesome brutality, Vairagi 's son was killed before his eyes and then his heart, still throbbing, was thrown at Vairagi 's face. Then the King ordered his men to pierce Vairagi 's body with red hot spikes and pull out pieces of flesh. The body of Vairagi was reduced to skeleton. But he did not raise a cry.

This grisly sight sent shock waves among the people. The King, then, ordered that Vairagibe crushed by the elephant Kas and his order was complied with immediately. The news of ghastly manner of Vairagi 's death reached far and wide spreading a fresh wave of awakening among the people. The Sikhs who alienated themselves felt ashamed and regretted their action. Hindus and Sikhs joined together once again.

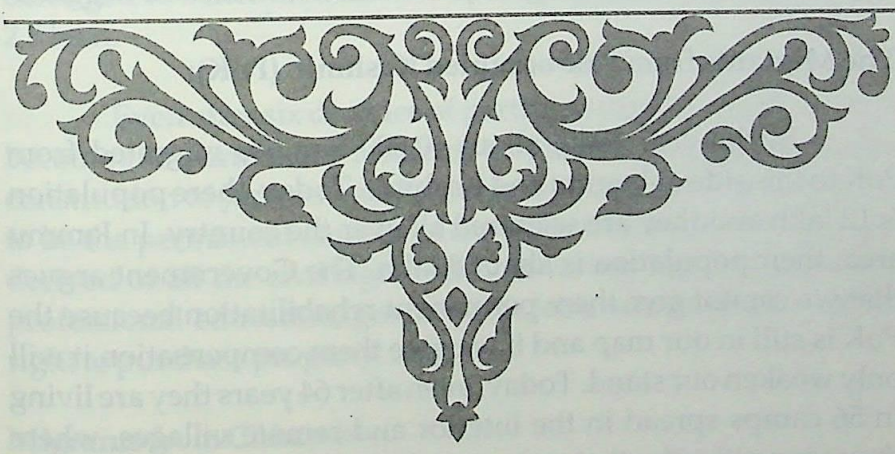
Dr. Shyam Sunder Tripathi
(Hamare Rashtra Nirmata : Part- 1)

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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Jammu and Kashmir as it 1947 till date



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JAMMU AS LAND OF MIGRANTS:

Jammu has been witnessing the flow of migrants for the last six decades. Out of 60 lakh population, 42 lakh are Hindus. About 15 lakh of them are migrants, who have not been given equal rights even though the Indian Constitution governs this state. These migrants wonder how long they have to live slaves and beggars.

The Migrants from Pak-occupied Kashmir (PoK):

In the year 1947, about 40,000 families migrated from PoK to this side of Jammu and Kashmir. Today, there population is 12 lakh and they are scattered all over the country. In Jammu area, their population is about 8 lakh. The Government argues that we cannot give them permanent rehabilitation because the PoK is still in our map and if we give them compensation it will only weaken our stand. Today, even after 64 years they are living in 56 camps spread in the interior and remote villages, where they are waiting for their permanent rehabilitation.

- The house and land that have been given to them do not belong to them, which mean they are not the owners.
- The property left out in 1947 and the migrant population has not yet been properly registered. Therefore, giving any compensation is a distant dream.
- The migrants from PoK who came here rafter Partition and spread all over the country cannot get the permanent residence certificate of Jammu and Kashmir.

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- The 24 seats of PoK still remain vacant in Jammu and Kashmir Assembly till today. The proposal to give representation to these migrants in the Legislature Assembly and Legislative Council has always been turned down by the Government.
- There is no facility of scholarship and reservation in jobs and education to the children of these families.

Migrants from West Pakistan:

After Partition those who came from West Pakistan took shelter in the border areas of Jammu and Kashmir. As per official reports, the number of has families was 5764 then. Most of them were residents of present Sialkot district of Pakistan and mostly belonged to Scheduled Castes. There population today is about 2.5 lakh.

Even after six decades of partition, these people have not become the permanent residents of Jammu and Kashmir. The constitution of Jammu and Kashmir does not find them eligible to be the permanent citizens of the state. Consequently they are derived of all the civil rights such as voting, higher education, professional education, government jobs, scholarships and the right to purchase property, etc.

Migrants from Chhamb:

The people of this region also migrated during the wars of 1947, 1965 and 1972. Even after permanently giving this region to Pakistan in Shimla Accord of 1972 the population of these people is about one lakh. The rehabilitation of these people was the responsibility of Government of India, because in the international agreement we had given 18000 acre to Pakistan. The Government of India neither gave them land or any compensation. Only Rs. 8500 were given to each family in the name of house cattle etc.

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The work of rehabilitation of these people is still incomplete. But the Government has disbanded the Chammb Rehabilitation Committee (CDPRA), the authority to facilitate all this, leaving people in to languish.

Kashmiri Hindus:

The Hindus of Kashmir who were forced to migrate from the Valley between 2989 and 1991 feel that they are now out of the agenda of all—the country, society, government and political parties. The total population of these 56,000 registered families is about 4 lakh. There have been many assurances of rehabilitation packages but nothing concrete was seen on the ground.

Even after 20 years, the Legislative Assembly has not been able to pass the Bill for protecting and preservation the religious and social properties. Politically, there is no representation of these people in the Legislative Assembly. In 1991, there were over 1 lakh registered voters, who are now reduced to 70,000 only. They have also lost interest because nobody cares for their votes. Today also the only wish of these migrants is that they all permanently and united return the Valley with adequate safety and respect.

Migrants of Terror-stricken Areas of Jammu:

There is a population of about 1lakh people who migrated from Doda, Kishtwar, Ramban, Udhampur, Riyasi, Poonch, Rajouri and Kathua districts of Jammu when terrorism affected their lives in the Muslim dominated areas. The government has not even tried to count the number of these people. The total number of these terror-stricken people is about 8 lakh.

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The government continues to ignore these people even though the judicial courts have given verdict in their favour. These people have made sacrifices while fighting against terrorists and some of them even losts their limbs and became permanent handicapped. They left their homes and villages and also lands but did not renounce their way of worship and continued to shout the slogan of Bharat Mata ki Jai. Today their children are being sold. Some are forced to work as labourers in private homes or roadside dhabas. A large section of these peole is Gujjar, Bakkarwal and Pahari Muslims. The Government has no permanent plan for them. Even the Supreme Court order was not executed, which says that the terror-stricken migrants of Jammu and Kashmir be given equal rights and facilities like the other migrants.

Ref: fom the book Jammu & Kashmir An analysis of facts by Ashutosh.

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PAKISTAN'S UN-ATTAINED GOAL: JAMMU & KASHMIR

Occuping Jammu & Kashmir is an unattained goal ofPakistan and it wants to achieve it at any cost. Even after fighting and losing four wars its desire to fight is not satisfied. In fact, Pakistan is born under a specific mindset and the tension and possibility of war between Pakistan and India will not be cleared until this mindset is changed. This is proved, if we have a look at the following developments:

1. Since the days of Partition, Pakistan, with the help of British, wanted to occupy Jammu & Kashmir.

2. When Mohammed Ali Jinnah failed to convince Maharaja Hari Singh for accession of Jammu & Kashmir, he blocked all economic links and communication services since September 1947. At that time road and rail transport, supply of essential commodities, communications, etc. were connected with Lahore, Rawalpindi, Syalkoat and Peshawar.

3. Since the beginning of October, the encroachment and loot had started and on October 22, 1947 in the pretext of Kabailees' Pakistan attacked directly.

4. On October 27, the Indian army arrived on the scene, fought bravely and got evacuated the area of Kashmir valley upto Udi. On January 1, 1948, India approached the United Nations Security Council and in January 1949 ceasefire was

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declared. It is still amystery that the Indian arny wanted and it was capable of getting the entire Jammu & Kashmir evacuated, but even after 13 months' long period the army was not allowed to March beyond Meerpur, Muzaffarabad, Giltgit and Baltistan. As a result, 85,000 sq kms area remained in the occupation of Pakistan. About 50,000 Hindu-Sikhs were massacred and lakhs of Hindus became refugees.

5. Through the direct wars of 1965 and 1971 also Pakistan tried to occupy the entire Jammu & Kashmir.

6. After 1975, an undeclared war started under Operation-Topak in which the training to terrorists and Islamic fanaticism began. In the duration of 20 years, about one lakh Indians including 5,000 security personals were killed and thousands became handicapped.

7. During Kargil War of 1999, Pakistan tried to cut off Ladakh from rest of India. In that war, 474 Indian officers and soldiers of different ranks sacrificed their lives and 1 109 others were seriously injured.

8. In July 1999, Pakistani newspaper Frid€)' Times wrote in an editorial that Kargil campaign was planned by our competent army officers for many years. Pakistan's spokespersons said that if India is not ready for a solution on Kashmir issue, which is acceptable to Pakistan also, then many Kargil's all is fought in future.

In Pakistan's National Assembly on July 12, 1999, the then Prime Minister Nawaz Sharif said that although the volcano of Kargil has subsided, if India does not hold a meaningful dialogue on the Kashmir issue, then many other volcanoes will blast in future.

Ref: fom the book Jammu & Kashmir An analysis of facts by Ashutosh.

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INTERNATIONAL INTERVENTION

During the interrogation of recently arrested terrorists, it has been revealed that the movement going on in an around Kashmir Valley is running on the strength of external forces and money. The terror activities in Kashmir have reached a stage in which the Kashmiri separatists have become mere tools. The game is being played by others. On the one hand Pakistan has constantly maintained dispute over Kashmir and on the other hand, China has not stopped giving stapled visas just to make his claim over Kashmir.

Even though China has already occupied forcibly a vast area of strategically important Kashmiri land, it has continued to increase intrusion on the borders. America, although denies any direct interference in Kashmir, yet it is giving indirect support to secessionist forces and activities through Pakistan.

America wants to maintain the dispute in Jammu & Kashmir, or may be it wants to use Jammu & Kashmir as a buffer state between India and Pakistan. This is perfectly favourable to the US diplomatically. If the US can somehow enter into Jammu & Kashmir, it can keep an eye over China and Middle Asia, as well as SAARC countries including India. This is the reason why America is not prepared to severe its relationship with Pakistan or to stop funding to Pakistan, even though it has been proved repeatedly that the ISI, the intelligence agency of Pakistan, is repeatedly involved in the terror activities in India.

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Presently, America is supporting this movement on the international forum due to its vested interests and for making its permanent presence in the Middle Asia through Jammu & Kashmir. During the decade after 1950 it was America that had instilled hope in the mind of Sheikh Abdullah regarding an Independent Kashmir. The US wanted to have its influence on Middle Asia through its permanent military base in Jammu & Kashmir.

On the other hand, China also, keeping in view its strategic interests in Gilgit and Pak-occupied Kashmir, wants to keep the dispute of Jammu & Kashmir alive. And this is why China keeps the issue raking up through various stupid ways — such as intrusion of the Chinese army in Ladakh, issuing separate permits for the people of Kashmir in place of normal visa that is granted to Indians, not showing Jammu & Kashmir in the map of India used in China.

Ref: fom the book Jammu & Kashmir An analysis of facts by Ashutosh.

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RELIGIOUS FUNDAMENTALISM OR A TERRITORIAL CONFLICT

Protagonists of religious fundamentalism in Kashmir propagate that the Kashmiris are secular who are suffering because of territorial conflict between India, Pakistan and to a limited extent with the China also which started just after the partition of India. Pakistan has fought three wars over Kashmir, including the Indo-Pakistani Wars of 1.947 and 1965, as well as the Kargil War. Furthermore, the two countries have been involved in several skirmishes over control of the Siachen Glacier. India claims the entire state of Jammu and Kashmir, and, as of 2016, administers approximately 43% of the region comprising Jammu, Kashmir, Ladakh, and the Siachen Glacier. India's claims are contested by Pakistan, which administers approximately 37% of Kashmir, namely so called Azad Kashmir and the Northern Areas, or Gilgit-Baltistan. China currently occupies Demchok district, the Shaksgam Valley, and the Aksai Chin region. China's claim over these territories has been disputed by India since China took Aksai Chin during the Sino-Indian War of 1962.

These facts give an impression that Kashmir is a territorial dispute as between India, Pakistan and China. The fact remains that Kashmir is an integral part of India, having gained that status legally like any other State of the country at the time of partition of the Indian dominion pursuant to the India Independence act, as endorsed by the people of the State and ratified by the UNO also. The dispute raised by Pakistan that the

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State having Muslim majority should be part of that country is not well founded. Kashmiris threw out tribal raiders when they entered some areas of the valley in 1947. At that time they were emotionally charged against Pakistan and thus rejected plea taken by that country. Subsequently also all out efforts are made by that country to secure, Kashmir and make it an Islamic entity but failed.

It was from 1990 that Pakistan changed its strategy as a result of which terror game as also guerilla warfare was started leading to all sorts of human rights violations including brutal killings of innocents, undertaking ethnic cleansing and destroying heritages, shrines and other religious places of then on Muslims The present Kashmir problem is to convert the place into a theocratic territory using all means. At the same time Pakistan is hiding her involvement in this game in order to project itself as a respectful country. In order to enrich this attitude the country has established terror out fits, placed these in disputed territory of so called Azad Kashmir and calling these as non state actors and freedom fighters.

Terror acts created in the said arrangement lice projected by Pakistan as political uprising in the Valley for secession of J&K from India to join that country who have not still reconciled to the fact that in spite of being a Muslim majority State it has preferred to be a part of Indian Union. To safeguard that position people of the State have made an irreversible provision in its Constitution approved and adopted by the Constituent Assembly created for the purpose on the basis of universal adult franchise. Separatists playing religious card to support militancy in the Valley are openly appealing for unity in the Islamic World so as to be successful in accomplishing their objective. For this purpose they are in constant touch with their religious bodies within and outside the country and are openly supported by Pakistan and other global fundamental Islamic organizations. Military and financial power is liberally flowing into the Valley from these sources. This follows the belief that"

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Muslims have one platform, one Kalima and one God."

The historical perspective thus, indicates that Islamisation of the valley and detaching it from India on the ground that the place has a Muslim majority is not a territorial dispute which is taken only as a plea to accelerate achieving of the desired nefarious objective.
The only territorial dispute is that Pakistan is illegally holding 37% of the territory of Jammu &Kashmir State which has to be got vacated or retrieved from them.

Fall out of Religious fanaticism

When militancy entered Kashmir it appeared that "The world which the Valley inhabited earlier vanished: the state government and the political class, the rule of law, almost all the Hindu inhabitants of the valley, alcohol, cinemas, cricket matches, picnics by moonlight in the saffron fields, schools, universities, an independent press, tourists and banks. In this reduction of civilian reality, the sights of Kashmir are redefined: not the lakes and Mogul gardens, or the storied triumphs of Kashmiri agriculture, handicrafts and cookery, but two entities that confront each other without intermediary: the mosques and the army camps.

On July, 1988 two bombs, one planted outside central Telephone Exchange and other outside the golf Course exploded making the beginning of armed insurgency in the valley. In March, 1989 a bomb blast in Hari Singh High Street claimed the first Kashmiri Pandit Life (Parbawati of Chadoora) A prominent Hindu Leader Tika Lal Taploo was gunned down on 14th of September, 1989 in Habbakadal.

In the night of January 19, 1990 the Valley broke into blood curdling slogans simultaneously broadcast from the, loud speakers of mosques asking the KPs to leave or else face the consequences. One of the slogans was "Assi gacchi panunuy

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Pakistan bataw rostuy, batanen san – we want Pakistan with KP women excluding their men". Next morning exodus began. From the day onc of the start of militancy, KPs were selectively picked up and put to death after in inflicting horrible tortures so as to frighten the community and force it to leave the Valley, It was a well planned major step towards islamization of the Valley which disprove the argument that the movement is to secure independence. Had it been that way the KPs should have been protected and not thrown out and that too on religious consideration.

A massive crowd gathered at Lal Chowk on October 14th and marched toward Eidgah, Shouting Slogans like:-

01. Yahan Kya Chalega-Nizam-e-Mustafa
02. La sharkiya, La garbiya-lslamia, Islamia
03. Allah Ki Rehmat Ka Saya-Towhid Ka Parcham Lehraya. Ay Mard-e-mujahid jag zara ab Waqt-e-Shehadat hai aya
04. Ay gasibo, Ay Zaalimo Kashmir hamara chhod do.
05. ZalzaIa aaya hai Kufr Ke maidaan mein.

In this process 219 Kashmiri pandits were killed and around 140,000 forced to migrate due to militancy while over 3000 remained in the valley as reported by the Indian government. The local organization of pandits in Kashmir, namely Kashmir Pandit Sangharsh Samiti claimed that 399 Kashmiri Pandits were killed by insurgents. Al Jazeera stated that 650 Pandits were murdered. According to the 'Kashmir documentation' published by PKM, 319 KP's were martyred during J 987-1.990. Names and other details of these persons are given in this document. This excludes those who have been killed in organized massacres by the Islamic terrorists, numbering 65 persons which take the total to 384." The names of the KPs killed in the bomb blasts, mine blasts, loot. Fidayeen attacks, combat operations, suicide bombings, railway and bus explosions are not included" A year wise detail of the fatalities of humans during this insurgency up to 2016 is tabulated as under:

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The proxy war launched by Pakistan against India in J&K during the past 28 years has caused more harm than the earlier three armed conflicts of 1947-48, 1965 and that of 1971. According to figures available in 1947-48 invasion of the State. The Army has lost. Its Jawans and officers. In 1965, these losses were and in 1971 war these losses were. But the chart enclosed indicates that what an extent the destruction has caused in the on going undeclared war so far. From 1990 to May 2016.

S. no	Description	90	91	92	93	94	95	96	97	98	99	2k	2k1	2k2	2k3	2k4	2k5	2k 6	2k7	2k8	2k9	2k1 0	2k 11	2k 12	2k1 3	2k1 4	2k1 5	2 k 16	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	
	(A) Incidents																												
1	a) Hurling of Grenades	242	402	509	578	821	579	444	168	187	201	243	373	282	199	243	152	226	107	76	56	37	25	28	15	23	28	11	**6355**
	b) Explosions AEDS	1280	275	248	327	347	366	358	255	264	293	294	402	255	228	157	136	83	56	31	23	28	16	5	5	9	3	1	**5745**
	Total Grenades /Explosions	1522	677	757	1005	1168	846	802	423	481	494	537	775	537	427	400	288	309	163	107	79	65	41	33	20	32	31	12	**12100**
2	Arson	709	485	678	707	606	686	458	259	177	136	129	274	255	205	108	94	78	48	38	21	23	4	2	1	1	0	0	**6184**
3	Rocket Attacks	45	162	105	71	87	43	39	32	22	56	31	35	35	13	6	3	1	0	0	0	0	0	0	0	0	0	0	**786**
4	Random Firings	744	778	859	1028	1149	1282	1428	950	795	838	692	898	881	725	720	520	386	203	86	82	74	52	33	40	50	37	12	**15320**
5	Cross Firings	475	1126	1765	1628	1865	1891	1089	959	1128	1205	1241	1733	15278	1296	813	688	535	407	254	180	191	89	50	43	57	63	31	**22328**
6	Arms Snatching	27	11	25	43	14	4	8	13	17	17	16	54	27	30	34	18	17	10	9	2	2	1	5	7	6	8	4	**428**
7	Abductions	169	290	281	349	368	548	686	448	298	241	286	335	318	319	237	161	103	60	39	20	12	8	1	2	5	4	0	**6688**
8	Hanging	53	15	25	26	22	8	9	17	8	2	17	14	13	8	12	19	9	9	6	1	1	1	0	0	0	0	0	**286**
	Total Incidents	3744	3544	4495	4856	5279	5348	4499	3101	2849	2985	2947	4118	3694	3023	2330	1791	1438	897	534	385	368	195	124	113	151	143	59	**63000**
9	Other acts	497	236	347	418	572	557	524	336	46	84	143	418	444	378	235	199	229	195	174	114	120	145	96	57	71	65	31	**6701**
10	Violent incidents directed against SFs	732	1358	1934	2288	2675	2570	1473	1149	1161	1209	1498	1109	870	683	481	327	330	217	128	85	82	40	45	45	42	41	18	**22610**
11	Procession /Demonstration	65	276	418	313	183	135	51	61	12	22	54	95	77	96	26	10	9	1	15	45	135	3	8	245	149	55	29	**2536**

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12	Hartals(calls given by Militants/Subvers)	198	207	148	139	97	88	95	72	25	24	41	122	76	58	25	13	26	13	33	35	132	22	19	37	41	22	11	**1824**
B). CASUALTIES																														
13	a)Killed by firing	449	341	536	668	700	878	1230	863	754	729	633	786	805	613	537	412	275	113	52	45	31	23	12	15	23	16	4	**11643**
	b) Explosions /Grenades	12	41	98	79	120	153	106	85	103	92	129	133	117	112	121	90	83	33	29	18	6	7	3	0	6	1	0	**1777**
	c) casualities by cross firing	539	524	435	310	249	171	83	82	110	116	180	179	128	111	75	54	52	24	66	20	10	1	0	0	6	5	2	**3722**
	d) causilities by maintenance of law & order and not related in terrorism																					117	9	9	19	7	15	9	
	Total(a+b+c+d)	1000	905	1069	1057	1069	1202	1424	1030	967	937	942	1098	1050	836	733	556	410	170	147	83	164	40	24	34	42	37	15	**17042**
	i) Injured by firing	112	120	219	297	332	511	407	304	401	376	543	677	607	382	377	258	228	87	38	20	50	23	17	19	20	16	2	**6443**
	ii)injured by Exp./Hand Grenades	185	551	683	719	1196	1021	1153	756	786	743	715	1443	1107	1164	1107	843	803	324	190	99	56	42	39	12	50	54	4	**15845**
	Total (i+ii)	297	671	902	1016	1528	1532	1560	1080	1187	1119	1258	2120	1714	1546	1484	1101	1031	411	228	119	106	65	56	31	70	70	6	**22288**
C) SECURITY PERSONNEL																														
	J&k Police killed	36	32	31	15	12	30	28	35	50	85	86	128	91	56	56	32	49	18	10	13	15	13	4	17	14	10	4	**970**
	SPO Killed	0	0	0	0	0	0	0	13	22	42	70	61	66	64	45	37	28	11	8	13	5	2	2	4	2	1	0	**486**
	VDC Members	0	0	0	0	0	0	5	10	10	10	15	16	20	16	4	18	3	1	2	1	0	0	0	0	0	0	0	**131**
	Others S/Fs killed	119	141	158	183	188	207	156	158	186	270	311	408	362	258	225	157	102	92	65	52	49	18	9	32	31	28	10	**3975**
	Total SF Killed	165	173	189	198	200	237	189	216	268	407	482	613	639	384	330	244	182	122	86	78	69	33	15	53	47	39	14	**6682**
	Police Person Injured	47	64	76	49	42	36	93	65	78	122	202	267	205	164	178	104	114	67	41	34	26	22	21	37	30	26	7	**2217**
	SPO	0	0	0	0	0	0	0	2	18	31	29	77	94	66	42	16	31	23	10	8	12	3	0	3	3	1	0	**469**

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	Injured																											
	VDC Members Injured	0	0	0	0	0	0	0	12	5	5	4	5	10	4	2	1	3	1	1	1	0	1	0	0	0	0	0	**55**
	Others	185	456	639	848	731	753	449	311	378	583	629	1238	778	580	429	312	336	245	128	77	191	36	44	34	51	76	26	**10541**
	Total SF Injured	232	520	715	897	773	789	542	390	479	741	864	1587	1086	814	651	433	484	336	180	1220	229	62	65	74	84	103	33	**13282**
D) ADMINISTRATIVE ACTION																													
14	Terrorists Killed	550	844	819	1310	1596	1332	1209	1075	999	1082	1520	2020	1707	1494	976	917	591	472	339	239	232	100	72	67	110	108	55	**21836**
15	Terrorists Surrendered	0	612	444	98	32	601	855	270	187	109	104	85	159	119	137	64	190	122	38	15	20	19	1	0	2	0	1	**4084**
16	Police/Army/firing/Incidents	226	116	101	52	69	65	42	38	37	50	79	121	97	86	33	20	26	10	57	43	185	3	12	0	0	0	0	**1559**
17	a)No.Of Persons arrested U/TADAV subs tantyle Law	2360	2449	2677	2004	2128	2200	475	294	457	417	322	92	165	607	453	726	874	771	567	466	613	502	414	278	393	288	183	**23131**
	b)No.Of persons released U/S 169 CrPc	804	523	679	495	313	200	47	128	46	147	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	**3385**
	c)No. Of Persons released on bail by competent courts	518	396	613	268	602	652	55	194	100	69	0	0	85	270	182	33	1	0	9	0	4	0	0	0	0	0	0	**4241**
	d) No. of persons released by Review committee	63	483	1054	722	1165	575	490	120	0	23	0	0	0	37	114	60	51	17	107	16	45	136	30	65	22	2	0	**5397**
	e) No. of Persons released through HLR CM/other	0	0	488	689	472	375	18	205	526	299	112	59	121	276	109	178	130	128	21	151	26	36	5	0	0	0	0	**4425**

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	wise																													
	No. of Persons under judicial custody/ TADA/Pota/ S.I. Under trait	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	130	105	292	295	158	146	128	**1254**
	Person Detained under PSA/NDPSA	State Jails					Outside State Jails															**Including Foreigners**							
		121					1																						**122**
ARMS AMMUNITION																														
WEAPONS																														
18	1.AK-47/56/74 Rifles	1240	2320	3504	2209	2196	2055	2150	1725	1520	1244	1405	1646	1571	1440	962	960	729	639	388	285	344	177	178	143	185	177	67	**31427**
	2.Pistol Revolvers	751	849	756	921	940	965	1052	1024	584	385	482	370	308	344	229	224	264	219	152	185	229	162	183	110	150	118	40	**11896**
	3.UMG (s)	77	130	164	142	127	67	84	64	71	28	21	10	3	8	3	5	6	5	5	3	1	3	1	0	1	0	0	**1029**
	4.Carbine(s)	0	0	0	1	34	1	6	3	7	5	0	0	1	3	3	3	1	1	3	1	6	0	1	0	1	0	0	**81**
	5.RPG(s) R/L	173	112	159	78	115	80	91	119	244	186	112	179	97	99	73	52	42	44	34	24	36	107	9	26	12	19	3	**2324**
	6.GPMG(s)	0	18	0	7	11	9	9	5	3	1	0	0	0	1	5	0	0	0	0	0	0	0	0	0	0	0	0	**69**
	7.LMG SLR (S)	0	3	1	5	14	10	9	12	7	7	2	10	11	18	20	25	25	20	11	6	0	2	3	0	1	2	0	**224**
	8.303Rifles	0	4	7	10	22	22	36	3	7	16	7	8	14	8	32	23	19	11	17	10	8	8	14	3	7	7	2	**325**
	9.Scripter Rifles	0	0	9	54	41	36	49	50	34	13	16	12	6	11	12	13	6	4	4	4	0	3	5	0	4	4	1	**403**
	10.Rocket Boosters(s)	74	163	135	61	66	24	119	208	293	475	273	241	138	133	104	103	76	41	21	46	8	30	0	0	0	0	0	**2838**
MAGAZINES																														
19	1.AK 47/56/74 Rifle	1688	5170	1111	4250	5527	4241	5337	4220	4832	3447	3538	4250	3974	4057	3038	3575	2088	1784	1263	919	1032	676	605	417	478	468	204	**71987**
	2. Pistol Revolver	200	523	770	623	1047	873	1247	1277	892	480	445	347	284	308	214	210	303	252	149	188	234	159	272	82	109	135	32	**11655**

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	3.UMG	604	92	209	109	94	72	30	18	25	17	21	8	1	4	2	3	1	4	3	3	1	0	0	0	0	0	1321
	4.LMG/SLR	0	0	0	2	3	20	4	0	0	2	0	0	1	0	2	0	42	26	23	17	7	0	4	3	4	12	0	172
	5.Carbine	0	0	0	1	3	0	4	0	5	3	0	0	0	3	0	3	0	0	0	0	3	6	0	0	1	0	0	32
	6.Telescope	0	0	0	1	0	0	11	0	1	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32
AMMUNITION																													
20	1.ak 47/56/74 Rifle (in Lacs)	1.68	2.37	2.92	2.93	3.98	3.27	3.3	2.47	1.7	1.76	1.68	1.74	1.3	1.49	1.26	1.68	0.76	0.96	0.45	0.49	0.46	0.39	0.29	0.18	0.2	0.028	0.09	40.028
	2.Pistol Revolver	19803	12042	10977	8642	13280	9205	13226	18002	58734	10624	8496	3884	2810	8129	1971	4035	3971	2909	2489	3132	2100	1589	1523	593	2224	1213	198	225801
	3.UMG	1035	20706	17273	8873	37783	4813	7055	2509	5791	8651	3340	150	111	2297	4011	211	94	37	531	125	0	0	0	0	0	0	0	127805
	4.Sniper Rifle	0	0	0	246	4320	1145	5162	3133	6510	6107	13129	3093	1430	100	642	707	126	236	5	110	37	72	88	383	2586	597	6	48950
	5.303Ammunition	0	0	470	1167	440	621	166	16	12	275	2700	162	93	36	288	401	272	364	429	444	11	19	223	57	37	27	248	8977
	6.Belted Ammunition	0	202	0	567	1539	344	525	23130	80091	13516	2203	0	154	0	68	124	0	0	0	1	0	0	0	0	0	0	0	122464
	7.Telescope Rifle	0	0	0	10	0	0	1	1	0	0	12	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	25
EXPLOSIVE MATERIAL																													
21	1.RDX in Kgs	0	0	0	0	0	0	166	342	769	885	1508	2547	647	1624	1386	956	891	457	245	258	227	26.5	58.5	37.7	45.5	12.4	0	13059.6
	2. Explosives in Kgs	231	274	285	2950	1342	1484	2381	6448	2922	2182	1798	1009	912	861	566	3952	973	433	210	280	501	63	25.75	55.7	76.7	38.1	0	32263.25
	3.IED (s)	0	18	85	136	126	811	245	1020	514	466	718	450	211	229	260	203	150	128	67	79	97	39	41	5	53	69	7	6228
	4.Greanders/ Hand Grenades	2502	1784	2391	4383	2603	2870	3949	5124	5883	4093	4807	4152	2701	3733	2222	2879	2077	1428	1033	978	963	840	336	342	494	342	169	64838
	5.Elec.Detonators	97	544	508	604	196	130	174	172	614	804	481	433	749	611	264	489	167	129	45	140	149	57	20	0	1	7	0	7685

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	6.Detonators	2634	2350	3085	2381	2572	4728	5138	10442	5511	4310	3303	1919	1697	2828	1414	1389	1453	914	1044	978	947	466	370	816	506	81	86	**63312**
	7.AP Mine(s)	723	123	212	570	969	529	517	373	471	261	292	106	62	124	69	89	58	32	1	7	71	5	5	3	17	70	1	**6780**
	8.AT Mine(s)	27	13	14	22		105	35	35	70	44	86	11	19	8	2	5	15	3	6	0	23	0	0	2	0	5	0	**660**
	9.Rockers	298	286	245	135	395	170	378	479	375	332	555	392	138	144	48	74	59	62	77	28	26	72	1	0	4	0	0	**4771**
COMMUNICATION EQUIPMENT																													
22	1.Wireless set(s)	0	0	29	132	211	246	413	444	583	409	450	462	503	664	468	455	318	288	155	144	145	122	57	41	62	91	18	**6920**
ACCESSORIES																													
23	1.cordex(in Mtr)	1181	553	931	753	805	3279	2885	1764	507	1348	1529	224	270	499	932	793	147	96	0	3	179	139	405	1	0	0	0	**45051**
	2.Bioncular s	2	13	46	47	53	54	86	63	56	47	20	27	49	52	39	57	28	45	22	20	28	12	13	4	47	18	7	**964**
AMOUNT RECOVERED FROM THE TERRORIST																													
24	Indian in Currency (in Crores)	Na	Na	Na	Na	Na	Na	Na	Na	Na	0.06	0.15	0.36	0.04	1.27	0.48	0.25	0.1	0.3	0.19	0.56	0.1	0.142	0.14	0	0.263	0.05	0.05	**4.5051**
	Pak Currency	-	-	-	-	-	-	-	-	-	121925	14512	3822	7104	82186	125468	6403	75700	14026	28637	8507	2505	1870	3044	8689	10	0	0	**436278**
	Afghan Currency	-	-	-	-	-	-	-	-	-	0	2350	1500	1650	2450	0	0	1	0	0	0	0	0	0	0	0	0	0	0	**7951**
	Others	-	-	-	-	-	-	-	-	-	0	0	0	100000	0	29900	180	109902	0	100000	0	0	0	0	0	0	0	0	0	**249682**
	Fake currency (in Lacs)	-	-	-	-	-	-	-	-	-	0	500455	530000	132500	14200	125000	1478500	214600	335500	150000	50000	3000	8.05	19.7	4.71	2.75	1.81	0	**3484792**
(L) GROUP CLASHES																													
25	(i)Incidents	0	41	103	121	168	170	87	27	9	3	6	8	13	18	19	9	9	4	2	3	3	0	0	0	3	2	0	**828**
	a)Terrorist	0	12	64	74	11	10	72	20	5	6	8	4	22	19	25	10	9	4	2	3	3	0	0	0	3	4	0	**587**

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s killed					0	8																						
b)Terrorists injured	0	6	4	32	15	23	15	5	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	102
c)Civillans killed	0	18	41	30	29	35	14	3	1	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	173
d) Civilians injured	0	53	147	41	47	57	46	5	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	398
Summary of estimated infiltration of terrorists (Gross) from 1990 to 30/4/2016																												
Infiltration Gross	1280	1400	3045	3280	2825	3200	3230	3185	3720	3050	2385	2417	1504	1373	537	597	573	535	342	485	489	247	264	277	222	121	35	40418
Summary of Fidayeen attacks in J&K w.e.f. 01/01/1999 upto 31/05/2016																												
No.of incidents	0	0	0	0	0	0	0	0	0	6	17	28	10	11	10	8	2	2	0	0	0	0	0	2	3	3	1	103
Car Bomb Blasts w.e.f. 01/01/1999 to 31/05/2016																												
Incidents	0	0	0	0	0	0	0	0	0	0	0	0	2	4	1	13	5	2	0	1	0	2	1	0	0	0	0	31
Human Rights violations-complaints w.e.f. 01/01/1999 upto 31/05/2016																												
SHRC	0	0	0	0	0	0	0	0	58	17	28	47	62	89	51	24	116	386	325	240	228	263	326	246	120	4	0	2828
NHRC	0	0	0	0	0	0	0	0	1	3	28	46	36	43	26	65	33	28	31	10	28	22	48	23	17	12	3	501
MHA	0	0	0	0	0	0	0	0	0	1	0	0	0	10	1	11	8	7	14	7	4	0	0	0	0	0	0	63
Custodial killings/Disappearances/Rape& Molestation w.e.f. 01/01/1999 upto 31/05/2016																												
Custodial killings	10	30	47	57	44	26	18	6	6	6	18	17	12	8	9	7	7	4	1	2	3	3	0	0	0	0	0	341
Disapperance	10	2	4	5	6	3	6	10	8	11	10	6	17	7	3	1	3	0	0	0	0	0	0	0	0	0	0	110
Rape victims	0	0	0	0	0	0	0	0	0	0	4	4	5	9	20	7	5	5	3	0	0	0	0	0	0	0	0	62
Molestation victims											1	1	3	20	11	6	2	4	2	1	0	1	0	0	0	0	0	52
Political leaders/Activist killed from w.e.f. 01/01/1999 upto 31/05/2016																												
NC	7	8	10	1	5	8		42	47	36	27	63	76	15	16	8	2	2	0	5	4	3	3	2	3	0	0	393
Congress	1	0	3	0	3	3	17	8	5	4	1	7	6	7	5	5	7	2	0	0	0	0	2	1	2	0	0	89
BJP	0	0	0	3	2	1	1	0	0	3	2	2	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	15
PDP	0	0	0	0	0	0	0	0	0	0	4	3	7	22	35	20	1	2	2	0	0	1	0	0	2	0	0	98
CPI(M)	1	0	0	0	0	1	0	1	1	1	1	0	3	1	1	2	3	0	0	0	0	0	0	0	0	0	0	16
Awami league	0	0	0	0	0	0	0	1	1	3	0	1	0	5	1	0	1	2	0	0	0	0	0	0	0	0	0	15
Janta Dal	2	0	1	0	0	1	3	3	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	12
Awami National Conference	1	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3

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Peoples conference	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**2**
Muslim united front	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**2**
Awami action committee	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	**3**
Independent	1	0	0	0	0	0	1	0	0	0	0	0	7	1	0	3	1	0	1	0	0	0	0	0	0	0	0	0	**15**
JEI	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	**2**
PDF	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	1	0	0	0	0	0	0	0	0	0	0	0	**4**
NPP/PP	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	**2**
Awami Mahaz	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Awami National Party NDP	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Akali Dal	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
ABVP	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**1**
National Congress Party	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**3**
Total	15	9	14	4	13	16	23	58	54	47	35	76	104	52	62	40	17	9	3	6	4	4	5	3	7	0	0	**579**
Political Rallies/Meetings																													
Cong-I	0	0	0	0	0	0	0	0	0	331	90	105	602	267	964	479	426	889	1870	745	525	471	506	655	2055	179	108	**11105**
PDP	0	0	0	0	0	0	0	0	0	309	116	109	418	424	1204	850	503	527	1601	764	250	459	537	715	2697	300	160	**11743**
NC	0	0	0	0	0	0	0	0	0	719	173	248	1430	274	967	387	372	466	1855	895	485	508	572	707	1988	166	118	**12130**
BJP	0	0	0	0	0	0	0	0	0	124	89	88	216	60	463	83	91	146	600	335	210	219	179	300	1613	327	169	**4313**
CPI(M)	0	0	0	0	0	0	0	0	0	77	4	8	45	25	94	19	18	19	80	13	12	7	17	23	30	14	4	**509**
NPP	0	0	0	0	0	0	0	0	0	14	13	33	121	48	178	37	59	99	300	132	51	57	59	63	224	13	23	**1524**
CPI	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	11	0	0	0	0	0	0	**13**
Lok Jan Shakti	0	0	0	0	0	0	0	0	0	0	0	4	5	1	16	8	7	15	80	7	0	0	0	0	0	0	0	**143**
JD(s)	0	0	0	0	0	0	0	0	0	0	0	1	13	0	4	1	0	0	2	0	1	0	0	1	0	0	0	**23**

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JD(u)	0	0	0	0	0	0	0	0	0	0	0	8	0	1	0	5	0	2	1	1	1	0	4	0	0	0	26		
Samajwadi Party	0	0	0	0	0	0	0	0	0	0	0	2	0	2	4	1 5	30	139	16	13	0	4	1	3	0	0	228		
BSP	0	0	0	0	0	0	0	0	24	18	27	98	20	81	30	1 6	63	219	61	18	11	26	21	127	4		865		
NCP	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	4	31	2	0	0	1	0	0	0	0	40		
PDF	0	0	0	0	0	0	0	0	1	0	3	4	16	21	31	1 0	56	196	11	7	7	7	12	60	2	2	448		
LUTTF	0	0	0	0	0	0	0	0	0	0	0	0	0	35	0	0	3	1	6	3	0	0	0	0	0	0	48		
Peoples conference	0	0	0	0	0	0	0	0	0	3	7	12	13	35	52	3 8	20	6	32	4	5	20	59	200	35	0	545		

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The CIA has reported that at least 506,000 people from Indian Administered Kashmir are internally displaced; about half of them being Hindu Pandits. "Kashmir Documentation" mentioned above indicates that "the total number of displaced Kashmiri Hindus in 1989-90 approximately 3 lakhs besides an equal number of the members of the community who were forced to migrate earlier from 1947-1989 due to various reasons plus earlier displaced making a total of 7 lakh members of the community scattered throughout the country and abroad". As against this the GOI has put the number of people who migrated at 1.40 lakhs only as mentioned earlier.

The proxy war launched by Pakistan against India in J&K during the past 28 years has caused more harm than the earlier three armed conflicts of 1947-48, 1962, 1965 and that of 1971.

According to figures available in 1947-48 invasion of the State. The Army has lost 1343 its Jawans and officers. In 1962 the losses were 789. In 1965, these losses were 1917 and in 1971 war these losses were 1339.

But the chart enclosed indicates that what an extent the destruction has caused in the on going undeclared war so far from 1988 to 2016.

Reference: from the book Radicalisation of Kashmir by A.K. Dewani

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Some Major Incidents

1988	
August	
1	Initial signs of militancy, two bombs exploded at Srinagar Club and Central Telegraph office; JKLF claimed responsibility ; A Petrol Pump near Polo Ground looted.
September	
1	Bomb blast in a TRC passenger bus in Anantnag killing two persons.
3	A parcel bomb found in the General Post office
18	Militants attacked residence of DIG Kashmir, AM Watali one Militant Killed in encounter
21	Kalashinkov rifles recovered from arrested militants who said they receiving training from across the border.
October	
12	JKLF plan to foment trouble in the Valley unearthed.
27	Bomb blasts and firing by militants in different parts of Srinagar; city engulfed with fear.
1989	
August	
21	National Conference Block President, Mohammed Yusuf gunned down by militants in interior city.
September	
14	State BJP vice-President, Tika Lal Taploo gunned down by militants
November	
14	Former Session Judge, Neel Kant Ganjoo killed by militants, JKLF claimed responsibility of the killing.
December	
8	———— ——
13	Five militants freed in exchange of Rubia Syed's release
1990	
January	
1	Cinema owners in the valley closed down their theatres in the wake of militant threat
25	JKLF militants gunned down 4 IAF men near Rawalpora
February	
13	Director Doordarshan Srinagar, Lassa koul killed by militants.
March	
1	Assistant Director of Information, P.N. Handooo, gunned down by militants.
23	CPI Leader, Abdul Sttar Ranjoor, gunned down by militants.
24	Independent, MLA, Mir Mustafa abducted by militants
25	Mir Mustafa's body found near Batamaloo
30	Self styled chief Commander of JKLF, Ashfaq Wani, killed by Security forces.
April	
6	Vice Chancellor, Kashmir University, Musheer -Ul-Haq, his private Secretary, Abdul Gani and General Manag er. HMT, Srinagar H.L.Khera abducted by militants. They were later killed
May	
21	Mirwaiz Molvi Farooq gunned down by militants at his residence
July	
18	Kashmir valley declared disturbed area
August	
6	Kingpins of JKLF arrested from Barzulla

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October	
14	Islamia College buildings set ablaze by militants destroying thousands of books besides valuable and rare manuscripts
April	
4	The Editor, Alsafa News, Mohammed Shaban Vakil shot dead by militants
June	
4	Former State Minister, Hissam-Ud-Din Bandey shot dead by militants.
27	Militants abducted and gunned d own two Isareli tourists in Srinagar
29	Indian Oil Corporation Executive Director Dorraiswami abducted by militants
August	
21	Doorraiswami released in exchange of six militants.
September	
8	Former Minister Khemlata wakhloo and her husband abducted by militants
1992	
January	
24	A Powerful explosions rocked police headquarters in Srinagar injuring senior Police officers including the Director General of Police, J.N. Saxena.
October	
20	Joint Director of Information, Kashmir, Syed Ghulam Nabi killed by militants in Srinagar.
1993	
April	
1	Famous Cardiologists, Dr Abdul Ahad Guroo, Kidnapped and murdered by militants.
10	260 shops and houses gutted in Lal Chowk
August	
8	16 Bus passengers killed near Kishtwar by armed militants.
October	
15	Army cordoned off Hazratbal Shrine complex to flush out militants who had seized the shrine.
November	
16	32 Days long Hazratbal crisis over; militants surrendered.
March	
19	Former Speaker, J&K Legislati ve Assembly, wali Mohammed Itoo gunned down by militants in Jammu
June	
20	Islamic scholar and Mirwaiz south Kashmir, qazi Nissar gunned down by militants.
July	
4	The militant outfit, Harkat-ul-Ansar banned Amarnath Yatra
16	A powerful blast in a mini bus at Jammu left 7 dead.
November	
22	9 killed, 36 injured in Jammu bus blast.
December	
12	Three persons including a woman killed and 10 others injured in a powerful blast in a passenger bus near Jammu
26	Historic Mujahid Manzil, the Headquarters of National Conference, gutted.
1995	
February	
18	Fourteen HM militants killed in an encounter with the security forces at chrar -i-Sharief.
March	
29	Fierce encounter between security forces and militants at Chrari-Sharief.

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April	
27	To save people and d efuse tension in chrar -i-Sharief. Government reiterated its offer to militants for their safe passage to Pakistan
May	
9	Chrar-i-Sharief town set ablaze by militants
11	The historic 14 century char -i-Sharief shrine torched by militants led by mercenary, Mast Gul, who managed to escape; valley mourned
July	
5	Five foreign tourists abducted from Pahalgam by Al Faran demanding release of 20 militants.
8	A German tourist, kidnapped at Pahalgam, escaped.
11	A Norwegian tourist abducted from Pahalgam
20	Ninteeen persons killed, 60 injured in Purani Mandi (Jammu) bomb blast.
August	
13	Mr. Hans Christian Ostro, the Norwegian national kidnapped alongwith four others by Al-Faran killed.
September	
4	Nine killed, 23 injured in bomb blast at Residency Road.
7	Parcel bomb exploded in the office of BBC office, killing Mushtaq Ali, ANI TV correspondent.
1996	
January	
6	15 villages abducted and killed by militants in Doda
February	
8	Four Pro-militants-Imran rahi, Babber Badr, Bilal Lodhi and Ghulam Mohi -ud-Din Lone offered unconditional talks with Central Government
March	
30	22 JKLF militants of Sideeqi group killed in an encounter with security forces in Hazartbal.
July	
19	Six domestic tourists abducted and killed by militants in Srinagar.
August	
23	Tragedy struck during Amarnath Yatra; 51 pilgrims died of unprecedented snow and rainfall on way to the holy cave; thousands stranded enroute; in all 240 persons died in the tragedy.
September	
12	Dr. Farooq Abdullah escaped an attempt on his life in Pulwa ma district at election meeting.
October	
15	Chief Minister Dr Farooq Abdullah asked the centre to initiate dialogue on autonomy for Jammu and Kashmir.
24	A bomb exploded outside MLA Hostel, Srinagar killing two cops and injuring seven others.
November	
4	144 militants laid down arms before the chief Minister, Dr Farooq Abdullah Srinagar.
1997	
February	
13	Prime Minister announced Rs. 7200 crore Economic Package for Jammu and Kashmir.
22	Seven Kashmiri Pandits killed by militants at Sangrama in district Budgam
June	
29	A powerful bomb blast inside the MLA hostel killing an ex-militant

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THE INDUS WATER TREATY

Gautam Sen

The Indus Water Treaty (IWT) concluded on 19th September, 1960, is a unique example of cooperative India- Pakistan relations. The treaty affects the Indian states of Jammu & Kashmir (J &K), Punjab and Rajasthan, with J & K affected the most Unlike in Punjab which is impacted by the IWT's stipulations on permissible water-flows in the three eastern rivers of the Indus system viz. Ravi, Beas and Sutlej , there is a long-standing perception in J & K that it has been deprived of opportunities of exploiting its hydro-electric power potential of nearly 15000 MW apart from limitation on other economic usage of the waters of River Indus and two of its tributaries - the western rivers - Jhelum and Chenab. All State Govts. of J & K, have some time or the other, voiced their grievance- Govt. has even considered engaging a UK-based multinational consultancy firm, M/S Halcrow, to assess the opportunity cost foregone by J & K, owing to the impact of the IWT and consequent failure to develop its power potential. Notwithstanding such a stance of J & K Govts. of different political hue, Govt. of India has been implementing the IWT in letter and spirit, and had also attempted to develop the hydro-electric potential of the State by using India's engineering capabilities without violating the intrinsic rights of Pakistan lowing from the IWT.

As part of its efforts to augment the electricity generating capacity of J & K, in the backdrop of the State's huge deficit of nearly 50% against its peak power demand of approximately 2500 MW (as per the latest All-India Power Survey), Govt. of India had included some major power projects like Dulhasti,

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Baglihar and Sewa-ll the Prime Minister's Reconstruction Programme (PMRP) of 2004. Union Govt. has also supported administratively and financially projects covered in a MOU between Govt. of India and the then J & K in 2000, for implementation by National Hydro Power Corporation (SHPC) initially on 'built-own-operate-transfer' basis, and subsequent handing over to the State Govt. While benefits from Baglihar have started accruing, the prevailing status regarding the seven MOU-covered hydro projects viz. Kishenganga (330 MW Bandipora); Uri-ll (280 MW Baramula); Bursar (1020 MW Kistwar); Sewa-ll (also part of PM- RP) (120 MW : Kathua); Pakal Dui (1000 MW : Doda); Nimoo Bazgo (44 MW : Leh) and Chutak (45 MW Kargil), is not encouraging because, only Uri-11, Sewa-ll, Nimoo-Bazgo and Chutak have been broadly completed. All these projects are in the Indus Basin, and would necessarily have to be IWT compliant.

Though water scarcity in the lean season has been politicized domestically in Pakistan, particularly in its Punjab province, a careful analysis shows that, the past objections raised by the Pakistan Federal Govt and its Commissioner in the Joint Indus Rivers Commission against India's projects in J & K- primarily the Baglihar on the Chenab and, Wular and Kishenganga on the Jhelum, respectively, has been more in the nature of nit-picking, rather than a strong concerted attempt to place obstacles in implementation of India's projects and jeopardising the IWT in the overall sense. This is notwithstanding that, Pakistan's objections are based on engineering issues apparently intended to alleviate Pakistan fears on unpredictability of water flow and reduction of down-stream supply affecting the latter's consumptive usage, Pakistan has a dilemma to the extent that it cannot afford to render the IWT ineffective, reckoning India's dominant position as the upper lip flan with attendant implications for its economy and security.

Appreciating the implications of political discontent in J & K apropos the limitations imposed by the IWT and need for sensitivity in the matter, and also considering the responsibility

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of the Centre as is a subject in the Concurrent List of India's Constitution, the Union Govt. should work out plans for implementing the projects conceived for J & K , exclusively as part of a Central initiative i.e. within the ambit of the Central Plan v.ith the expertise available with Isa-IPC and special purpose vehicles constituted for the purpose, rather than leaving them to be executed by the State Govt. reckoning its capability and resource constraints. The objective of the MOU of 2000, therefore needs to be re-visited.

As per existing policy on hydro- electric power projects, hill states like J & K, are entitled to a quantum of free power (13%) generated from projects set up by Central power utilities in such states. Substantial free power would be available when all these seven projects from the MOU package are functional, and are deemed as Central utilities, Even if these projects generate power at 50% of their total installed capacity of 1899 MW, the quantum of free power available to the State will be a significant financial gain. This will be a great relief to the State, considering the existing power deficit of nearly 1000 MW and the expenditure being incurred by the State Govt. on purchase of power from the national pool. The benefit from the PMRP projects and those within the ambit of the MOU, if implemented vigorously as suggested above, will help countervail the negative perceptions regarding the IWT.

Pandit Jawaharlal Nehru as India's Prime Minister, had stated in one of his letters (of 18th May, 1959) to the Chief Ministers just before the IWT was signed that, canal water issue was and is essentially a problem of engineering and human welfare." While the IWT has broadly taken care of the water sharing aspect prima facie equitably through engineering means, with the bilateral differences in the engineering-technical realm resolved by deliberations in the Indus Commission, discussions at inter-ministerial levels and through mechanisms of neutral expert recommendations and arbitration - in that order-within the aegis of the treaty, time has come to consider a mutually a- greed Indus Basin water management endeavour between India and Pakistan. The geo-physical and

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ecological conditions in the Indus Basin today is substantially different vis-a-vis that of the early 1950s and 1960 when the land-mark treaty was concluded. It will be unfair to ignore the present water needs of the riparian provinces of both the countries, which basically implies those of J & K, Punjab provinces of India and Pakistan, Sind and Pakistan- occupied Kashmir (and also of Rajasthan as a subsequent be province). Such an approach help de-politicise the political-cum- public grievance in J & K on the straining impact of the IWT economic development of the State management inter-river to approach within the Indus system not involve a re-drafting of Additional protocols only will be required, in a step-by-step augment the water-generation catchment areas and optimally the resultant flows. A level o confidence and down-playing security perceptions between India and Pakistan, will be a sine qua above-referred impetus to succeed may be worthwhile to recall observations of David Lilienthal, former chief of Tennessee Valley Auth(February 1951 that India and should work out a programme to develop and augment the River Basin System.

The State Govt. of J & K may also consider projecting Fourteenth Finance Commission(FFC) a demand for compensating State, commensurate with the of 'power disability' faced the limitations arising from t This however, will be an ad short-term compensation (to FC award period : 2015-16 20), and may be assessed the power purchase expend the State Govt. during the years, suitably deflated to t of notional free power which have been obtainable had technically feasible power project Indus basin in its territory, become functional. As practical necessity the interest of peace and sec the sub-continent and welfare people of India and Pakistan, Govt. of India and the State J & K should work with a large perspective of inter-Indus Basin management, while compensating the State for the power constraint, for a specified period in the immediate future. (The author is a former Secretary-level officer of India, presently serving as (Finance) of Govt. of Nagaland. The views expressed are thons own.)

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RESOLUTION ADOPTED BY THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN ON 13 AUGUST 1948.

(DOCUMENT NO.1100, PARA. 75, DATED THE 9TH NOVEMBER, 1948).

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN

Having given careful consideration to the points of view expressed by the Representatives,of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and Being of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essential to implementation of its endeavours to assist the Governments of India and Pakistan in effecting a final settlement of the situation, Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal:

PARTI

CEASE-FIREORDER

[A] The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both

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Governments.

[B] The High Commands of Indian and Pakistan forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir. (For the purpose of these proposals '- forces under their control" shall be considered to include all forces, organised and unorganised, fighting or participating in hostilities on their respective sides).

[C] The Commanders-in-Chief of the Forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

[D] In its discretion, and as the Commission may find practicable, the Commission will appoint military observers who under the authority of the Commission and with the co-operation of both Commands will supervise the observance of the cease-fire order.

[E] The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favourable to the promotion of further negotiations.

PART II

TRUCE AGREEMENT

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their Representatives and the Commission.

A

(1) As the presence of troops of Pakistan in the territory of the

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State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.

(2) The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident there in who have entered the State for the purpose of fighting.
(3) Pending a final solution the territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.

B

(1) When the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals referred to in Part II A2 hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further that the Pakistan forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of their forces from the State in stages to be agreed upon with the Commission.

(2) Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of cease fire the minimum strength of its forces which in agreement with the Commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.

(3) The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all

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measures within their power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will beg
uaranteed.

C .

(1) Upon signature, the full text of the Truce Agreement or communiqué containing the principles thereof as agreed upon between the two Governments and the Commission, will be made public.

PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the Truce Agreement both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

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THE 1994 PARLIAMENTARY RESOLUTION ON JAMMU & KASHMIR

This resolution on Jammu & Kashmir was moved in both Houses of Parliament on February 22, 1994 by the presiding officers and adopted unanimously by the two Houses. It has neither been rescinded nor amended so far. Here is the full text of the resolution:

"This House"

Notes with deep concern Pakistan's role in imparting training to the terrorists in camps located in Pakistan and Occupied Kashmir, the supply of weapons and funds, assistance in infiltration of trained militants including foreign mercenaries into Jammu and Kashmir with the avowed purpose of creating disorder disharmony and subversion:

Reiterates that the militants trained in Pakistan are indulging in murder, loot and other heinous crimes against the people, taking them hostage and creating an atmosphere of terror;

Condemns strongly the continued support and encouragement Pakistan is extending to subversive and terrorist activities in the Indian state of Jammu & Kashmir;

Calls upon Pakistan to stop forthwith its support to terrorism, which is in violation of the Simla Agreement and the internationally accepted norms of inter-State conduct and is the root cause of tension between the two countries;

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Reiterates that the Indian political and democratic structures and the Constitution provide for firm guarantees for the promotion and protection of human rights of all its citizens;

Regards Pakistan's anti-India campaign of calumny, and falsehood as unacceptable and deplorable.

Notes with deep concern the highly provocative statements emanating from Pakistan urges Pakistan to refrain from making statements which vitiate the atmosphere and incite public opinion Expresses regret and concern at the pitiable conditions and violations of human rights and denial of democratic freedoms of the people in those areas of the Indian State of Jammu and Kashmir, which are under the illegal occupation of Pakistan;

On behalf of the People of India,
Firmly declares that:

a) The state of Jammu & Kashmir has been, is and shall be an integral part of India and any attempts to separate it from the rest of the country will be resisted by all necessary means;

b) India has the will and capacity to firmly counter all designs against its unity, sovereignty and territorial integrity;
and demands that -

c) Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression;
and resolves that -

d) All attempts to interfere in the internal affairs of India will be met resolutely.

The Resolution was unanimously adopted, Mr. Speaker: The Resolution is unanimously passed.
February 22, 1994

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WHY GILGIT BALTISTAN IS SO IMPORTANT FOR INDIA'S FUTURE

This area was a part of the ancient silk route, during which time, India had 28% of the World's GDP. India was the world's largest economic power then! This area is the trade meeting point of west Asia, Central Asia, South Asia and East Asia. Gilgit to Iran is 1000 KM by road, which is around the same distance between Gilgit and India's capital Delhi. Gilgit to Russia's capital Moscow is 3500 KM by road. Comparatively, that distance is just 300 KM more than Gilgit to Chennai in south India by road. Basically, Gilgit is an extremely important middle point connecting many regions of Asia with Europe, by land.

Why central Asian land route is important in the age of flight?

No amount of air or water travel can replace the benefit of rail or road. That's why even Britain proposed a bus from London to Mirpur (in POJK) with a travel time of 7 days.

What has India lost by losing Gilgit to Pakistan's illegal occupation?

India has lost a land route to central Asia, China, West Asia and then to Europe or Africa. This Gilgit was a part of Indian confederation of states for 1000s of years, particularly during the famous Silk route era.

Is Gilgit important only from land route perspective?

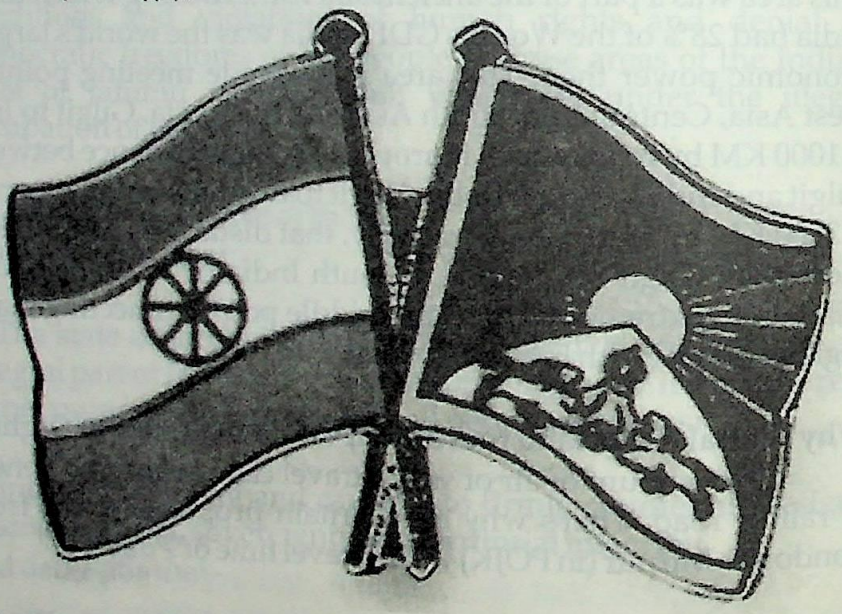
No. This part of Jammu and Kashmir, now illegally occupied by Pakistan, is very essentially for India's economic ambitions and defence. Again, many major invasions of India happened

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through the history from this region bordering Afghanistan.

What else is Gilgit vital to India for?

In Asia, Tibet and Gilgit-Baltistan areas control most of the fresh water supply. Now that India has surrendered Tibet's sovereignty claim to China, the only other alternative for major water sources is Gilgit Baltistan. Out of the 10 tallest peaks in India, 8 lie in Gilgit Baltistan, now lost to Pakistan. The world famous K2 Himalayan peak, the world's second tallest, is in Baltistan. Gilgit has some of the world's largest Gold deposits. Not surprisingly,



India and Tibet Flags {Image: crossed-flag-pins}

China has taken all the mining rights for those areas from Pakistan now. For energy security, India could lay a pipeline from Tajakistan, under the Tapi Project (Turkmenistan-Afghanistan-Pakistan-India (TAPI). India wants to lay, but Pakistan has been continuously in denial mode in permitting India to do it.

Reference:- from the book "The Myth of Kashmir problem compiled by Kiran Kumar

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CHINA'S OCCUPATION OF PARTS OF JAMMU AND KASHMIR

Is it true that India does not have a clearly demarcated boundary with China on the Tibetan side?
Absolutely false. Historically, Tibet and China had no border dispute between Jammu and Kashmir State on the North Western border of India till 1947.

So, when was the border between Jammu and Kashmir and Tibet clearly demarcated?
In 1842, Treaty of Chushul was signed by Jammu and Kashmir, Tibet and China. It has separate signatures of Jammu and Kashmir Maharajah with Tibet, Tibet with China and China with Jammu and Kashmir state.

Were British a party of the Treaty of Chushul?
Yes East India Company, ruling India at that time, became a party of the Chushul treaty of 1842, in 1846 CE. That way, Jammu and Kashmir, Tibet, China and Britain were all legally a part of a treaty. Clear maps were also exchanged between the parties involved, for a common perception.

Is Aksai Chin, now China Occupied Jammu Kashmir (COJK), a legal part of India?
Absolutely yes. Aksai Chin is a part of Jammu and Kashmir state, that has legally acceded to India. Till 1947, the Maharaja of Jammu and Kashmir collected revenue from the village of Mansar, the only village in the uninhabitable and harsh Aksai Chin. China never disputed India's claim of revenue (tax).

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Did China ever have dispute with India on the western Himalayas in Jammu and Kashmir?

Never. Since the 1842 followed by demarcation of the border by India with Tibet and China, there was never any dispute here. It only talked of the dispute in the eastern part of Himalayas near Arunachal Pradesh.

So how did Aksai Chin become China Occupied Jammu Kashmir (CoJK)?

When China occupied Tibet in 1950s, India accepted that meekly. Then China needed a strategic road from Buddhist Tibet to it's North Western Xinjiang province populated by Uyghur Muslims. That eight-lane expressway now passes through India's Aksai Chin, which is a part of Ladakh region of Jammu and Kashmir state. India slept in late 1950s when this highway was built and only after that China claimed Aksai Chin for their Eastern highway.

What happened in 2013 when China intruded into India on the Ladakh side, just like how it has done many times before?

Read here the step by step detail ->
http://www.jammukashmirnow.com/china/what-happened- in-april-in-ladkah-in-chronological-manner

Reference:- from the book "The Myth of Kashmir problem compiled by Kiran Kumar

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INJUSTICES TO THE PEOPLE OF JAMMU AND KASHMIR

Who are the real victims in Jammu and Kashmir?
The unfortunate refugees. Jammu and Kashmir is the land of refugees. There are refugees who migrated from today's Pakistan (excluding Pakistan Occupied Jammu and Kashmir).

Why are the refugees who migrated from West Pakistan (excluding Pakistan Occupied Jammu and Kashmir) still in camps in Jammu and Kashmir?
Because of Article 35-A that was inserted into the Indian constitution. Jammu and Kashmir assembly made a provision for the Permanent Resident Certificate (PRC) in the state's constitution. Four generations have passed since then, but still the refugees have not been given state subject status. They are still in 200 camps within 5 KM from the line of control between India and Pakistan. They probably hold the record for the world's longest suffering "stateless people" title.

What are the injustices with the refugees from West Pakistan during 1947 in Jammu and Kashmir, in contrast with other Indian states?
Jammu and Kashmir does not give these refugees (mind you, fourth generation now), a right to vote in the state assembly and the local body elections. They are denied the right to own property in Jammu and Kashmir. Their children can't get professional education in the state's colleges. They are denied Scheduled Caste (SC) or Other Backward Caste (OBC)

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scholarships. They are denied state employment.

Are Indian "champion" politicians, who fight for Scheduled Caste, Tribes and Backwards Castes, fighting for Jammu and Kashmir's backwards?

No. Mayawati, Deve Gowda, Karunanidhi, Lalu Yadav, Mulyam Yadav, Rahul Gandhi and a host of "champions of backward castes and Dalits" are nowhere when it comes to Jammu and Kashmir's backwards. 75% of the "stateless subjects", the refugees from West Pakistan, are SC and OBCs.

Do we have human rights for refugees in Jammu and Kashmir camps?

No. 2,00,000 The West Pakistan refugees in camps of Jammu and Kashmir, have no rights. Compare this with Supreme Court (SC) of India saying that even a terror convict Afzal Guru's hanging should have been informed earlier to the family. But these lakhs of refugees not even having voting, property or educational rights is not considered human rights violation in India. The same SC says, that this issue of West Pakistan refugees is a "Constitutional Anomaly" and we could not say what to do!

Which is the biggest human rights violation in India today?

The way Jammu and Kashmir state is treating its West Pakistan and other refugees in camps for four generation, denying them all the basic rights that rest of Indians have.

How big is the refugee population from Pakistan Occupied Jammu and Kashmir (PoJK)?

Today there are 10,00,000 internal displaced living in Jammu and Kashmir within India, who were forced to migrate from Pakistan Occupied Jammu and Kashmir (POJK).

Why are the POJK refugees in J&K, not given permanent settlement in India?

Because Indian governments for generations have considered them as "internally displaced" people, and not refugees. This is because the land from which they came, was illegally occupied by Pakistan, and it is constitutionally a territory of India.

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Why has not India settled the refugees from PoJK?

Because per governments, if India settles this refugees permanently in Jammu and Kashmir under Indian control, India will lose the natural claims of Pakistan Occupied Jammu and Kashmir (POJK). It was told then in the early 1950s that it is only a matter of "few days" and they will go back to their own land! This is going on for 65 years and these unfortunate refugees are living in pathetic camps. Even if they have access to rudimentary housing, they have no right to the land where they stay.

What was the biggest injustice after Mangla dam construction near Mirpur, in Pakistan Occupied Jammu and Kashmir (PoJK)?

This World Bank funded dam construction marooned large amount of property belonging to the Hindu and Sikh refugees living in Jammu and Kashmir within India today. The compensation money is in the banks at Mirpur, but Indian government does not claim that for the fear of losing claims over POJK. The victims are the refugees who have now lost their property without compensation..

How many Hindu Kashmiris were evicted forcibly from their Kashmir valley homes by Islamic Jihadi terrorists since 1990 January?

More than 2,50,000. They belonged to 56,000 families registered at that time.

Why were Kashmiri Hindus, mostly Pandits, ethnically cleaned from Kashmir valley by terrorists supported by Pakistan?

Because they were the symbol of Bharat (India) in the Kashmir valley.

How does an overwhelmingly Hindu majority India with over 123,00,00,000people, treat its Kashmir Hindu refugees?

Pathetically. No political party even has on their agenda, the return of these people to their homes in the Kashmir valley.

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Are 10,00,000 POJK internally displaced people (IDP), West Pakistan refugees (2,00,000) and Kashmir Valley Hindus 2,00,000 the only refugee categories?

No. There is a fourth type also. They are the people of Jammu who had to leave their homes in the higher districts of Jammu, due to terrorism over the past 15 years.

Have Jammu's terrorism affected people paid a heavy price?

There is a family of 5 widows in Jammu. They were the wives of five brothers from Jammu. The eldest widow is 40. There is no development in their areas for 15 years and the people have suffered heavily. A report prepared by Organization "Justice on Trial" named " Ordeal of have conducted a study and found Jammu Migrants that almost all the districts of Jammu were terror affected. Poonch, Rajouri, Doda, Kistwar and Rambasn were severely hit. Even J&K High Court and Supreme Court have directed the State Government to look after the issues of the terror victims of this region. But Government has been insensitive to this region.

Are Jammu and Kashmir and Indian Governments neglecting refugees?

Absolutely yes. In Jammu and Kashmir, there are policies made to help stone-pelters who kill Indian soldiers. There are policies to help ex terrorists. There are policies to help those who crossed over the border to Pakistan to work in terror networks (married to Pakistani women now and raised families). But the same government does not care for the nearly 2 million refugees rotting in various camps or other settlements.

Do Other Backward Castes (OBCs) have reservation in Jammu and Kashmir?

No. But they have in other states of India. Do Scheduled Tribes (ST) have reservation in Jammu and Kashmir like in other parts of India? Between 1947 and 1991, they had no reservation. They got reservation in only educational and employments in 1991,

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but still don't have the political reservation that they deserve. STS form 18% of Jammu and Kashmir's population (excluding POJK and COJK).

Do Scheduled Castes (SC) have reservation in Kashmir valley?
For 60 years, they were not given reservation because of manipulated administrative orders. It took a battle by the nationalist people of Jammu and Kashmir in the Supreme Court in 2007, to win SC reservation in Kashmir valley.

Did Jammu and Kashmir assembly welcome the SC reservation?
No. In 2010, Jammu and Kashmir assembly tried to stop the SC reservation in Kashmir valley, via legislation again. However, they had to backtrack after heavy pressure from the nationalist people of the state. But the severe injustice to Dalits this way has no supporting voices at all in the rest of India.

Are 73rd and 74th amendments of Indian constitution, applicable in Jammu and Kashmir?
No. This is a big blow towards local governance in Jammu and Kashmir.

Who is a minority as per Jammu and Kashmir state definition?
Undefined even today. For example, the Sikhs are a minority in the whole of India, but not in Punjab state, where they are more than 50% of the population. But in Jammu and Kashmir, Muslims are still minority. Muslims form nearly 58% of Jammu and Kashmir population (70 lakhs out of 120 lakhs total population), but still get all minority rights in the state. And being in control of the government, they enjoy all the majority rights. This is a clear case of injustice to the rest in Jammu and Kashmir.

Talking about gender discriminatory laws, what happens when a Jammu and Kashmir woman marries a man outside the

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state?

She and her off springs will lose all the property and other state rights. This is one of the most racist and discriminatory gender laws you can ever find in the world. How can a mother not give her property to her own children, just because the father was not from the state? These are being challenged in the courts and hopefully some resolution comes through.

Reference:- from the book "The Myth of Kashmir problem compiled by Kiran Kumar

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SOLUTIONS FOR THE "(ISSUES REGARDING JAMMU AND KASHMIR)"

How do you shortly describe the "Kashmir Problem"?

Do not describe it as Kashmir Problem. It is a problem of misinformation in the State of Jammu and Kashmir and lack of information in the rest of India. There may be a problem of separatism or fundamentalism or cross border terrorism in some part of the State. Understand two issues and work on a single solution. That will take care of everything.

What are those three lies being propagated as "Kashmir Problem"?

The three lies are - Article 370 gives Jammu and Kashmir a special status, Jammu and Kashmir is a dispute and Jammu and Kashmir is a separatist State.

In which part of the Jammu and Kashmir State is this perceived "Kashmir Problem" existing?

Where exactly is the problem of separatism?

Is there any problem of fundamentalism in the State?

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So in how many districts do we find stone-pelters shouting against India?

Only in the 5 out of 22 districts of Jammu and Kashmir state. It's a very localized problem within the state. One sect of Muslims dominates these 5 districts. They are the Kashmiri Sunni Muslims and only they have the so-called ('Kashmir problem". That's around 30% population of the Jammu and Kashmir state, while the rest 70% are peacefully living as regular Indians.

Who are the famous Kashmiris who get time in TV channels of India?

Yasin Malik, Shabbir Shah, Syed Gilani, Mirwaiz Farooq, Mehbooba Mufti, Omar Abdullah, Sajjad Lone and Asiya Andrabi. These are from the 5 districts of the state where this problem of separatism is localized. And only these eight are the familiar Kashmiri faces for Indian TV.

If Jammu and Kashmir is 22 districts big, why do TV channels and media stalwarts only focus on the 8 faces from 5 districts that have separatism problem?

That's the devious media agenda being played against the unity of India. They never give any TV talk time for anyone from Jammu or Ladakh, the regions forming 85% of the state in the form of 17 districts. If they come on TV, people will get a full picture of the perception from the state, which media does not want Indians to see. There's no separatism or alienation in the majority of the state, and that is a fact. Due to the lack of information and the devious media agenda against the unity of India, majority of the Indians don't get to hear the nationalist voices from Jammu and Kashmir.

Why is "Kashmir Problem" propagation a big lie?

First of all never call it the "Kashmir problem". It is a problem of terrorism and separatism in the state of Jammu and Kashmir. We all know that there is a naxalism problem in Chhattisgarh, do you call it a "Chhattisgarh Problem"? Bihar has poverty and backwardness. Do you call it a "Bihar problem"?

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What should be the discourse on the Jammu and Kashmir?
Every Indian should talk about China Occupied Jammu Kashmir (COJK) and Pakistan Occupied Jammu Kashmir (POJK). That is the biggest priority from the national security perspective. Secondly, Indians should understand the real victims of Jammu and Kashmir over the past 65 years, as described in the earlier chapters.

What are the things that separatists of Jammu and Kashmir have understood?
India will never leave Jammu and Kashmir, as it is a legal territory of India. Guns won't work against India even after 40,000 terrorists and 35,000 civilians killed, and also about 6000 security forces martyred. 85,000 AK47 rifles, telescopic guns, pistols and rocket launchers and tons of RDX have been seized. Hence, there is no solution to the separatism problem by waging a war on India, be it direct or proxy via terrorism.

Has Pakistan understood the futility of supporting terrorism in Jammu and Kashmir?
Yes. The very existence of Pakistan is now in doubt, because the terrorism that was grown to hurt India is eating up Pakistan from inside.

What was the turning point in the downfall of separatist movement in Jammu and Kashmir?
The 2008 Amarnath Yatra Agitation. This movement clearly showed the power of nationalistic voices in Jammu and Kashmir. Nationalistic people of India have scored a clear cut victory over the tiny minority of Jammu and Kashmir that wanted to separate out of India.

Are the separatists of Jammu and Kashmir demoralized?
Absolutely yes. They are at the worst morale level now. Their funders and sponsors in Pakistan have also understood the futility of violence against India. 1990 was the peak of terrorists' morale and 2013 is the complete opposite. This is the time for

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nationalist forces to seize the opportunity to end the terrorism and separatism movements in Jammu and Kashmir.

What's the first step in reclaiming the whole of Jammu and Kashmir?

First and foremost – create awareness among the general Indians about Jammu and Kashmir. People of India don't have the right perception about Jammu and Kashmir. Due to their wrong understanding of Jammu and Kashmir, politicians and bureaucrats have been allowed to get away with wrong policies on Jammu and Kashmir.

Is Jammu and Kashmir an issue of party politics like Congress, BJP or Communists?

No. Jammu and Kashmir is an issue of national integration of India. It is not a political party bickering, nor a Hindu-Muslim fight. People of India need to understand that very clearly. Awareness, consensus and will are necessary among Indians regarding Jammu and Kashmir.

What are the key days about Jammu and Kashmir to celebrate in India now?

Start with the Jammu and Kashmir accession day of 26th October 1947. That must be celebrated in schools and offices so that every Indian gets a clear perspective that the state acceded legally to India on that day. Then celebrate 22 February as "Sankalp Diwas". This date is relevant as Indian Parliament passed a unanimous resolution about POJK on 22nd February 1994.

What else common Indians can do for Jammu and Kashmir?

Please visit Jammu and Kashmir at least three times in your life. Once visit Ladakh, once Jammu and once Kashmir.

What are the places that are usually hyped when visiting Jammu and Kashmir?

Gulmarg, Pahalgam and Dal. Because they are just hypes created to help separatists with tourist income, by the people

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who have captured the state government for the past 65 years, as their support base exists here. But the people of the country should know that there's far more Kashmir beyond these three.

Then what else to see in Kashmir valley?

Visit the 5000-year Hindu and Buddhist history of Kashmir valley first. There are 100s of very beautiful and ancient places that are not marketed well for obvious reasons. Check out this site for more suggestions -> http://www.jammukashmirnow.com/tourist-pilgrim destination

What places to visit in Jammu?

Pro people, pro border areas and pro poor tourism needs to happen. Contact Jammu Kashmir Study Center for a customized itinerary when visiting Jammu.

Where to visit in Ladakh?

Visit Demchok the last border village of India today near Aksai Chin. There are only 80 families there, but they are proudly holding Indian flag in a very remote area

Where there is no road 200 KM before the village!

Tell more about Demchok's brave Indians.

Last year, China threatened Demchok's 80 families not to celebrate August 15th, India's Independence Day citing Demchok as a disputed territory. The local sarpanch Raja bhai Tangey contacted ITBP army unit and that contacted the politicians in Delhi. They were told "not to enrage" the Chinese and flying Indian tricolour flag was not that important! But in spite of no support from the army or Dilli politicians, Demchok's brave Indians celebrated the Independence Day by flying Tiranga flag! Visit such people and generate income to them from tourism. If these 80 families leave that place, India's borders will shrink by 200 KM. So supporting these brave people is very important. Even if 1000 Indians visit as tourists, this village will generate enough employment and people will remain in that very inhospitable place.

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What is the state of Hindu temples burnt or destroyed by terrorists in and after 1990?

Islamic Jihadi terrorists destroyed 180 Jammu and Kashmir Hindu temples since 1990. People have rebuilt 65 of those destroyed temples over the past 5 years. Every month there is a havan in the temple and every year there's a major celebration in each temple. Up to 25000 people visit those annual celebrations at some temples. Indians build lot of temples in their local villages, towns and cities. Please build a few in Jammu and Kashmir also. This is the state with 5000 years of Hindu history.

What can be done to the terror refugees of Jammu and Kashmir?

They can be helped in jobs, education, temple building and many other areas. Contact Jammu Kashmir Study Center for more details.

What is the change in Indian mindset needed now?

Enough of slogans and marches. Change from "Jammu and Kashmir bachao (save)" to "Jammu and Kashmir apnao (adopt)" mindset.

What are the key things Indians can do for Jammu and Kashmir?

Three key things:
Visit Jammu and Kashmir.
Integrate with the people of Jammu and Kashmir.
Then work for Jammu and Kashmir.

So in summary, is there a "Kashmir Problem"?

No, not at all. It is actually a "Delhi Problem". Created by Delhi, nurtured by Delhi and carried on by Delhi. It actually refers to the bureaucrats, politicians and the so-called Jammu and Kashmir experts based out at Delhi. Whenever the nationalists become stronger and there is light at the end of the tunnel visible for all problems, Delhi does something stupid giving a morale boost to the separatists of Jammu and Kashmir.

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Give examples of how Delhi spoiled the last wave of Jammu and Kashmir full integration effort by the nationalists?

When nationalists were trying to integrate the state fully, Indian government sent three interlocutors, which gave a huge morale boost to the tiny group of separatists.

How did the interlocutors report hurt India's national integrity?

That interlocutors report suggested to review all the constitutional articles that got extended to Jammu and Kashmir since 1953. In reality, the need was to extend all the pending constitution articles, not to review or remove any that is already extended. They even recommended the permanency for Article 370, with special status via 371, acceptance of sovereignty of POJK on the areas illegally occupied by Pakistan.

What is the biggest grievance of Jammu and Kashmir nationalists?

They can fight with Pakistan and China, with separatists or even terrorists, but not with Delhi government. Such is the pathetic track record of successive Indian governments at Delhi. That's where they want help from common Indians to educate and fight this "Dilli Problem".

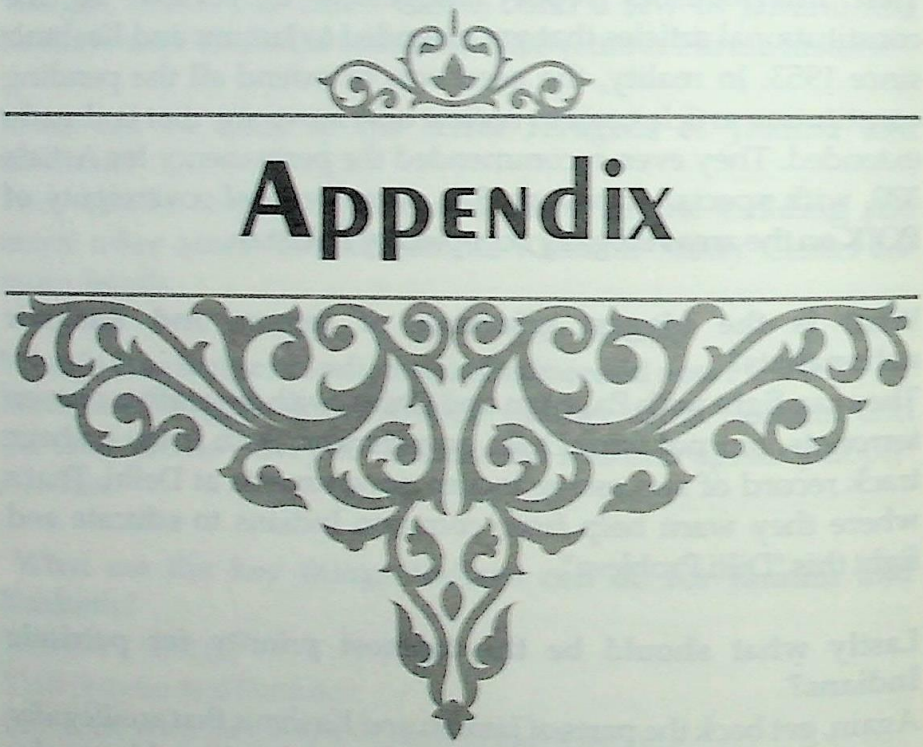
Lastly what should be the topmost priority for patriotic Indians?

Again, get back the parts of Jammu and Kashmir that areillegally occupied by China and Pakistan. We should address the problems of POJK refugees, West Pak refugees, Terrorism affected people, Kashmir Hindus, SCs, STs, OBCs, women, minorities, and the residents of Jammu and Ladakh.

!!! Vande Mataram !!!

Reference:- from the book "The Myth of Kashmir problem compiled by Kiran Kumar

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Appendix

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APPENDIX 1

TEXT OF THE TREATY

English translation of the Persian text of the treaty signed at Leh on second of Asuj 1899 Bikrami (September 1842) between the Government of Maharaja Gulab Singh and the Government of Tibet.

Whereas we the officers of the Lhasa country, viz. firstly, Kalon Surkhan and secondly, Depon Pishi, commander of the forces of the Emperor of China, on the one hand and Diwan Hari Chand and Wazir Zalim, on behalf of Maharaja Gulab Singh, on the other, agree together and swear before God that the friendship between Maharaja Gulab Singh and the Emperor of China and the Lama Guru Gaddi Lamayuru will be kept and observed in all sincerity, no disregard will be shown to anything agreed upon in the presence of God, but will respect the boundaries of Ladakh and the countries bordering on it as fixed since olden times. We will carry on the trade in shawl, Pashmina and Tea before us by way of Ladakh and if anyone of the evil Maharaja enemies comes to our territories and acts disloyally against the Raja we will not listen to him, and will not allow him to remain in our country, and whatever traders come from Ladakh shall experience no difficulty from our side. We will not act otherwise but in the same manner as it has been prescribed in this meeting regarding the fixing of the Ladakh frontier and the keeping open of the road for the traffic in shawl, Pashmina and Tea. We will observe our pledge to God, Gaitri and Pasl. Wazir Mian Khushal Chu is witness.

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Written on the second day of Asuj 1899 (September 1842).
The Tibetan version of the treaty is as follows:

Kalon surkhan and investigating officer Depon Pishi on behalf of his holiness the Dalai Lama & his officials, and Khalsaji Absarani Shri Maharaja Lala golana the representatives of Khasur Shag Golam Mohmmad through an interpreter & discussed the terms Of the peace treaty , In the first place the two parties have decided to sink all past diffrences and ill-feeling and to consider the friendship and unity between the two kings re-established established forever. This peace treaty bet ween Maharaja Gulab Singh and Gum Lama of Lhasa has been resorted and there will be no cause for enmity in future in the two 'nations regarding their respective frontier. Maharaja Sahib has declared, invoking God as his witness that he will not deviate from the terms iof this Agreement. It is agreed that the two brothei'% Kings of Ladakh and the Queen shall remain peacefully in LadaKh and shall not indulgein any intrigue, besides trying to promote Ihe friendly relationsbetween the two nations. The Ladakhis shall send the annualtribute to His Holiness the Dalai Lama and his ministers unfailingly as therefore and the Shri Maharaj Sahib will not interfere with this agreement. NO restrictions shall be laid on the mutual export ofcommodities e.g, tea, piece goods, etc ....and trading shal be allowed a according to the old-establishing eustom. The Ladakhis shall supply the Tibetan Government traders with the usual transport animals and arrange for their accommodation as therefore, and the Tibetans will also do the same to the Ladakhiswho come to Tibet with the annual tribute. It is agreed that no tribute that no trouble will be occasioned to the TibetanGovernment by the Ladakhis. We invoke God to bear witness tothis agreement whereby the friendly relations between theMaharajah Sahib and the Lhasa Governnwnt shall continue asbetween members of the same family. This is signed on the second day of the month of Assuj, year 1899.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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APPENDIX 2

TREATY OF LAHORE (MARCH 9, 1846)

Treaty between the British Government and the State of Lahore, concluded at Lahore on March 9, 1846. Whereas the treaty of amity and concord, which was concluded between the British Government and the late Maharaja Ranjit Singh, [he ruler of Lahore in 1809, was broken by the unprovoked aggression on the British provinces by the Sikh Army, in December last; And whereas, on that occasion, by the proclamation dated 13th of December, the territories then in the occupation of the Maharaja of Lahore, on the left or British bank of the river Satluj, were confiscated and annexed to the British provinces; and since that time, hostile operations have been prosecuted by the two governments, the one against the other, which have resulted in the occupation of Lahore by the British troops: And whereas it has been determined that upon certain conditions, peace shall be re-established between the two governments, the following treaty of peace between the Honourable English East India Company, the Maharaja Dalip Singh Bahadur, and his children, heirs, and successors, has been concluded, on the part of the Honourable Company, by Frederick Currie, Esq; and Brevet-Major Henry Montgomery Lawrence, by virtue of full powers to that effect vested in them by the Right Honourable Sir Henry Hardinge, GCB, one of Her Britannic Majesty's most Honourable Privy Council, Governor- General appointed by the Honourable Company to direct and control all their affairs in the East Indies, and on the part of his Highness the Niaharaja Dalip Singh, by Bhai Ram Singh, Raja Lal Singh, Sardar Tej Singh, Sardar Chattar Singh Attariwala, Sardar Ranjor Singh Majithia,

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Diwan Dinanath, and Fakir Nur-ud-Din vested with full powers and authority on the part of his highness.

Article 1

There shall be perpetual peace and friendship between the British Government, on the part, and Maharaja Dalip Singh, his heirs and success on the other.

Article 2

The maharaja of Lahore renounces for himself, his heirs and successorsall claim to or connection with, the territories lying Co Che south of the river Satluj, and engages never to have concern with those territories orthe inhabitants thereof.

Article 3

The maharaja ceded to the Honourable Company in perpetual sovereignty, all his forts, territories, and rights in the Doab and country,hill and plain, situate between the rivers Beas and Satluj.

Article 4

The British Government having demanded from the Lahore state, an indemnification for the expenses of the war, in addition to the cession of territory described in Article 3, payment of a one and a half crores ofrupees; and the Lahore Government being unable to pay the Whole ofthis sum at this time, or to give security satisfactory to the BritishGovernment for its eventual payment; the Maharaja cedes to the Honourable Company, in perpetual sovereignty, as equivalent for one crore of rupees all his forts, territories, rights, and interests in the hil countries which are situate between the rivers Beas and Indus,including the provinces of Kashmir and Hazara.

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Article 5

The Maharaja will pay to the British Government the sum of fifty lakhsof rupees, on or before the ratification of this treaty.

Article 6

The Maharaja engages to disband the mutinous troops of the Lahore army, taking from them their arms; and His Highness agrees to reorganize the regular, or Ain, regiments of infantry, upon the system, and according to the regulations as to pay and allowances, observed inthe time of the late Maharaja Ranjit Singh. The Maharaja further engages to pay up all arrears to the soldiers that are discharged under the provisions of this Article.

Article 7

The regular army of Lahore Scale shall henceforth be limited to 25 battalions of infantry, consisting of 8()() bayonets each with 12,000 cavalry Chis number at no time to be exceeded with the concurrence of the British Government. Should it be necessary at any time for any special cause, that this force should be increased, the cause shall be fully explained to the British Government; and when the special necessity shall have passed, the regular troops shall be again reduced to the standard specified in the former clause of this Article.

Article 8

The Maharaja will surrender to the British Government all the guns, thirty-six in number, which have been pointed against the British troops, and which having been placed on right bank of the river Satluj, were not captured at the Battle of Sobraon.

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Article 9

The control of the rivers Beas and Satluj, with the continuation of the latter river, commonly called the Ghara and Panjnad, to the confluence of the Indus from Mithankot, and the control of the Indus from Mithankot to the borders of Balochistan, shall in respect to tolls and ferries, rest with the British Government. The provisions of this Article shall not interfere with the passage of boats belonging to the Lahore Government on the said rivers, for the purpose of traffic or the conveyance of passengers up and down their course. Regarding the ferries between the countries respectively, at the several ghats of the said rivers, it is agreed that the British Government after defraying all the expenses of management and establishment, shall account to the Lahore Government for one half of the net profits of the ferry collections. The provisions of this Article have no reference to the ferries on that part of the river Satluj which forms the boundary of Bahawalpur and Lahore respectively.

Article 10

If the British Government should, at any time, desire to pass troops through the territories of his highness the Maharaja, for the protection of the British territories, or those of their allies, the British troops shall, on such special occasions, due notice being given, be allowed to pass through the Lahore territories. In such case the officers of the Lahore State will afford facilities in providing supplies and boats for the passage of rivers: and the British Government will pay the full price o all such provisions and boats, and will make fair compensation for all private property that may be undamaged. The British Government will, moreover, observe all due consideration Co the religious feelings of the inhabitants of those tracts through which the army may pass.

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Article 11

The Maharaja engages never to take, or retain in his service, any British subject of any European or American State, without the consent of the British Government.

Article 12

In consideration of the services rendered by Raja Gulab Singh of Jammu to the Lahore State, towards procuring the restoration of relations of amity between the Lahore and British Governments the maharaja hereby agrees to recognise the independent sovereignly of Raja Gulab Singh, in such territories and districts in the hills as may be made over to the said Raja Gulab Singh by separate agreement between himself and the British Government, with the dependencies thereof,which may have been in the Raja's possession since the time of the late Maharaja Kharak Singh; and the British Government in consideration of the good conduct of Raja Gulab Singh, also agrees to recognize his independence in such territories, and to admit him to be privilegen of aseparate treaty with the British Government.

Article 13

In the event of any dispute or difference arising between the Lahore State and Raja Gulab Singh, the same shall be referred to the arbitration of the British Government; and by its decision the Maharaja engages to abide.

Article 14

The limits of the Lahore territories shall not be, at any time, changed without concurrence of the British Government.

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Article 15

The British Government will not exercise any interference in the internal administration of the Lahore State; but in all cases or questions which may be referred to the British Government, the Governor-General will give the aid of his advice and good offices for the furtherance of the interests of the Lahore Government.

Article 16

The subjects of either State shall, on visiting the territories of the other be on the footing of the subjects of the most favoured nation.

This treaty consisting of sixteen Articles has been this day settled by Frederick Currie, eqq; and Brevet-Major Henry Montgomery Lawrence, acting under the of Che Right Honourable Sir Henry hardinge, GCB, Governor-General on the part of the British Government, and by Bhai Ram Singh, Raja Lal Singh, Sardar Tej Singh, Sardar Chattar Singh Attariwala, Sardar Ranjor Singh Majithia, Diiwan Dina nath, and fakir Nur-ud-din, on the part of Maharaja dalip Singh and the said treaty has been this day ratified by the seal of the Right Honourable Sir Henry Hardinge, GCB, Governor-General, and by that of his Highness Maharaja Dalip Singh. Done at Lahore this 9th day of March in the year of our Lord 1846 cerrespondingwith the 10th day of Rabi-ul-Awal 1262 Hijri and ratified the same day.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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APPENDIX 3

TREATY OF AMRITSAR (MARCH 16, 1846)

Treaty between the British Government on the one part and maharaja Gulab Singh of Jammu on the other, concluded on the part of the British Government by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence acting under the order of the right Honourable Sir Henry Hardinge, GCB, one of her Britannic Majesty's Most Honourable Privy Council, Governor-General of the of the possesionsthe East India Company, to direct and control all their affairs in the East Indies and by Maharaja Gulab Singh in person in 1846.

Article 1

The British Government transfers and makes over, for ever inindependent possession, to Maharaja Gulab Singh and heirs male of his body, all the hilly or mountainous country, with its dependenceies, situated to the eastward of the river Indus and westward of the river Ravi, including Chamba and excluding Lahaul, being part of the territories ceded to the British Government by the Lahore State according to the provisions of Article IV of the Treaty of Lahore dated 9th March 1846.

Article 2

The eastern boundary of the tract transferred by the foregoing article to Maharaja Gulab Singh will laid clown by Commissioners appointed by the British Government and

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Maharaja Gulab Singh respectively for that purpose, and shall be defined in a separate engagement after surely.

Article 3

In the consideration of the transfer made to him and his heirs by the provisions of the fortegoing articles Maharaja Gulab Singh will pay to British Government the sum of seventy-five lakhs of rupees (Nanakshahi). Fifty lakhs to be paid on ratification of this Treaty, and twenty-five lakhs on or before the 1st October of the current year, AD

Article 4

The limits of the territories of Maharaja Gulab Singh shall not be at time changed without the concurrence of the British Government.

Article 5

Maharaja Gulab Singh will refer to the Arbitration of the British Government any disputes or questions that may arise between himself And the Government of Lahore or any other neighbouring State, and Will b abide by the decision of the British Government,

Article 6

Maharaja Gulab Singh engages for himself and his heirs to join, with the whole of his Military Forces, the British troops, when employed Within the hills, or in the territories adjoining his possessions.

Article 7

Maharaja Gulab Singh engages never to take or retain in his service, Any British subject, nor the subject of any European

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or American State, without the consent of the British Government.

Article 8

Maharaja Gulab Singh engages to respect, in regard to the territory transferred to him, the provisions of Articles V, VI, and VII of the separate Engagement between the British Government and the Lahore Durbar, dated 11th March 1846.

Article 9

The British Government will give its aid to Maharaja Gulab Singh in protecting his territories from external enemies.

Article 10

Maharaja Gulab Singh acknowledge the Supremacy of British Government, and will in token of such Supremacy present annually to the British Government one horse, twelve perfect shawl goats of approved breed (six male six female), and three pairs of Cashmere shawls. This treaty condsidting of ten articles has been this day settled by Frederick currie, Esquire and Brevet-Major Henry Montgomery Lawrence, acting under the directions of the Right Honourable Sir Henry Hardinge, GCB, Governor-General, on the part of the BritishGovernment, and by Maharaja Gulab Singh in person, and the saidTreaty has been this day ratified by the seal of the Right Honourable Sir Henry Hardinge, GCB, Governor-General. Done at Amritsar, the sixteenth day of March, in the year Lord one thousand eight hundred and forty six, (1846) corresponding with the seventeenth day of Rabi-ul-Awal 1262 Hijri.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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APPENDIX 4

STAND STILL AGREEMENT

Between: Maharaja and the Government of Pakistan
Telegram from Prime Minister, Kashmir State, to Sardar Abdur Rob Nishtor, States Relations Department, Karachi, dated 12th August 1947.

Jammu and Kashmir Government would welcome Stand Still Agreement with Pakistan on all matters on which these exist at present moment with outgoing British Indian Government. It is suggested that existing arrangements should continue pending settlement of details and formal execution of fresh agreement.

Telegram from Foreign Secretary, Government of Pakistan, Karachi to Prime Minister of Jammu and Kashmir, Srinagar, dated 15th August 1947.

Your telegram of the 12th, the Government of Pakistan agrees to have a Stand Still Agreement of Jammu and Kashmir for the continuance of the existing arrangements pending settlement of details and formal execution of fresh agreements.

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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APPENDIX 5

INSTRUMENT OF ACCESSION OF JAMMU AND KASHMIR

Whereas the Indian Independence Act, 1947, provides that as from fifteen day of August 1947, there shall be set up as independent dominion, known as India and that the Government of India Act 1935 shall, with such omission, additions, adaptations and modifications as the Governor-General may by order specify be applicable to the dominion of India;

AND WHEREAS the Government of India Act, 1935 as so adaptedby the Governor-General provides that an Indian State may accede tothe dominion of India by an Instrument of Accession executed by the ruler thereof: Now Therefore I, Shriman Inder Mahendra Rajrajeshwar Maharajadhiraj Hari Singh, ruler of Jammu and Kashmir in the exercise of my sovereignty inand over my said State Do hereby execute this my instrument ofAccession, and

l. I hereby declare that I accede to the dominion of India with theIntent that the Governor-General of India, the dominion Legislature, the Federal Court and any other dominionauthority established for the purposes of the dominion shall, byvirtue of this my Instrument of Accession, but subject always to the Certus therefore and for the purpose only of the dominion exercise in relation to the Slate of Janunu and Kashmir (hereinafter referred to as this State) such functions may be vested in (hem by oc under (he (Government of India Act, 1935as

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in in (he dominion of India on the 15th day of August 1947 (which Act as so in force is hereinafter referred to as 'the Act').

2. I hereby assume the obligation of ensuring that due effect is given to the provision of the Act within this State as they are applicable therein by virtue
of this my Instrument of Accession.

3. I accept the matters specified in the schedules here to as the matters with respect to which the dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the dominion of India on the assurance that if an agreement is made between the Governor-General and the ruler of this State where by any functions in relations to the administration in this State of any law of the dominion Legislature shall be exercised by the ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me by an Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the dominion Legislature to make any law for this State authorizing the compulsory acquisition of land for any purpose, but I hereby undertake that should the dominion for the purpose of dominion law which applies in this State deem it necessary to acquire any land I will at their request acquire the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed or in d default of agreement determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to be a

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commitment in any way as to acceptance of any future Constitution of India or to fetter my discretion to enter into arrangement with the Governments of India under any such future Constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty .in and over this State, or save as provided by or under (his Instrument the exercise of any powers, authority and rights now enjoyed by me as ruler of this State or the validity of any law in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this state and that any reference in this Instrtument to me or to theruler of this State is to be construed as including a reference to my heirs and successors.

Given under my hand this 26th day of October Nineteen Forty seven

Sd/- Hari Singh
Jammu Palace
Maharajadhiraj of Jammu and Kashmir

I do hereby accept this Instrument of Accession.
Dated this twenty seventh day of October
Nineteen hundred and forty seven
Sd/- Mountbatten of Burma

Governor-General of India

27th October 1947

Ref: from the book "political Conspiracies of Kashmir" by Lt. Col. Bhagwan Singh

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APPENDIX 6

KASHMIR ACCORD, 1975

A geed conclusions which led to Sheikh Mohammad Abdullah's accord with Smt. Indira Gandhi, Prime Minister and his subsequent assumption office as Chief Minister in February, 1975 : -

1.The State ofJammu and Kashmir which is a constituent unit of the Union of lndia, shall, in its relation with the Union, continue to be governed by Article 370 of the Constitution of India.

2. The residuary powers of legislation shall remain with the State; however, Parliament will continue to have power to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of lndia or bringing about cession of a part of the territory of lndia or secession of a part of the territory of India from the Union or causing insult to the Indian National Flag, the Indian National Anthem and the Constitution.

3. Where any provision of the Constitution of India had been applied to the State of Jammu and Kashmir with adaptation and modification, such adaptations and modifications can be altered or repealed by an order of the President under Article 370, each individual proposal in this behalf being considered on its merits; but provisions of the Constitution of lndia already applied to the State of Jammu and Kashmir without adaptation or modification are unalterable.

4. With a view to assuring freedom to the State of Jammu and Kashmir to have its own legislation on matters like welfare measures, cultural matters, social security, personal law and

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procedural laws, in a manner suited to the special conditions in the State, it is agreed that the State Government can review the laws made by Parliament or extended to the State after 1953 on any matter relatable to the Concurrent List and may decide which of them, in its opinion, needs amendment or repeal. Thereafter, appropriate steps may be taken under Article 254 of the Constitution of India. The grant of President's assent to such legislation would be sympathetically considered. The same approach would be adopted in regard to laws to be made by Parliament in future under the Proviso to clause 2 of the Article. The State Government shall be consulted regarding the application of any such law to the State and the views of the State Government shall receive the fullest consideration.

5. As an arrangement reciprocal to what has been provided under Article 368, a suitable modification of that Article as applied to State should be made by Presidential order to the effect that no law made by the Legislature of the State of Jammu and Kashmir, seeking to make any change in or in the effect of any provision of Constitution of the State of Jammu and Kashmir relating to any of the under mentioned matters, shall take effect unless the Bill, having been reserved for the consideration of the President, receives his assent ; the matters are: -

(a) the appointment, powers, functions, duties, privileges and immunities of the Governor, and

(

b) the following matters relating to Elections, namely, the superintendence, direction and control of Elections by the Election Commission of lndia, eligibility for inclusion in the electoral rolls without discrimination, adult suffrage and composition of the Legislative Council, being matters specified in sections 138, 139, 140 and 150 of the Constitution of the State of Jammu and Kashmir.

6. No agreement was possible on the question of nomenclature of the Governor and the Chief Minister and the matter is therefore remitted to the Principals.

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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APPENDIX 7

I SAW SHRI GURUJI ENTERING 'KARAN MAHAL'

In 1948, when Maharaja Hari Singh was King of Jammu & Kashmir, I was his A.D.C. The King's Court was in Kashmir. When India achieved independence on August 1 5, 1947, the princely states acceded to the Indian nation. The Maharaja of Jammu & Kashmir too received the proposal of accession. Pakistan was planning to keep Jammu & Kashmir under its illegal control. They were preparing to launch a tribal attack against Kashmir and Maharaja took some time to decide that for him accession to India was a better option.

It was in 1947, though I do not remember the date correctly. I saw a gentleman entering the 'Karan Mahal ' in his personal vehicle. He had come to meet the Maharaja. We came to know later that he was Shli Madhavrao Sadashivrao Golwalkar, the Sarsanghchalak of Rashtriya Swayamsevak Sangh, popularly known as Shri Guruji. I saw Shri Guruji next in a programme at Jammu. I have been, indeed, impressed by his personality.

During their meeting in Karan Mahal what transpired between Shri Guruji and Maharaja is not known, but it is clear that they had fairly exhaustive discussion.

Capt. Diwan Singh
A.D.C to Maharaja Hari Singh

Reference: from the book "The Glorious Past of Dogra Land" by Narender Sehgal

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APPENDIX 8

PROCLAMATION OF SHRIMAN INDAR MAHINDER RAIRAJESHWAR MAHARAJA SH. HARI SINGH RULER OF JAMMU AND KASHMIR AND DEPENDENCE

5 March 1948

In accordance with the traditions of my dynasty I have, from time to time, provided for increasing association of my people with the administration of the State with the object of realising the goal of full responsible Govt. at as early a date as possible and in pursuance of that object have, by the Jammu and Kashmir Constitution Act of 1996 (xiv of 1996) established a constitutional Govt. with a council of ministers, a legislature with a majority of elected members and an independent Judiciary;

I have noted with gratification and pride the progress so far made and the legitimate desire of my people for the immediate establishment of a fully democratic constitution based on adult franchise with a hereditary Ruler from my dynasty to the legislature;

I have already appointed the popular leader of y people Shiekh Mohammad Abdullah as the Head of the Emergency Administration; it is now my desire to replace the Emergency Administration to a Popular Interim Govt. and to provide for its powers, duties and functions, pending the formation of a fully democratic Constitution.

I accordingly HEREBY ORDIAN AS FOLLOWS;

1. My council of Ministers shall consist of the Prime Minister

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and such other Ministers be appointed on the advice of the Prime Minister. I have by Royal warrant appointed Shiekh Mohammad Abdullah as the Prime Minister with effect from today.

2. The Prime minister and other Ministers shall function as a cabinet and act on the principle of joint responsibility. A Dewan appointed by me shall also be a member of the cabinet

3. I take this opportunity of giving once again a solemn assurance that al sections of my people will have opportunities of service, both civil and military, solely on the basis of their merits and irrespective of creed or community.

4. My council of Ministers shall take appropriate steps, as soon as restoration of normal conditions has been completed, to convene a National Assembly based upon adult suffrage, having due regard to the principle that the number of representatives from each voting area should, as far practicable, be proportionate to the population of that area.

5. The constitution to be frame by the National Assembly shall provide adequate safeguards for the minorities and contain appropriate provisions guaranteeing for the freedom of conscience, freedom of speech and freedom of assembly.

6. The National Assembly shall, as soon as the work of framing the new constitution is completed, submit it through the council Ministers for my acceptance.

7. In conclusion I repeat the hope that the formation of a popular Interim Govt. and the inauguration in the near future, of a fully Democratic Constitution will ensure the contentment, happiness and the moral and material advancement of my beloved people.

Proclamation Government Gazette

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APPENDIX 9

DETAIL OF PRIME MINISTERS FROM 1923 TO 1965 OF

JAMMU & KASHMIR

1. Raja Hari Kishan Kaul
2. Lt. Gel. Elliot James Dowell Colvin
3. Sir N. Gopalaswami Ayyanagar
4. Ram Chand Kak
5. General Janak Singh
6. Mehr Chand Mahajan
7. Shiekh Mohd. Abdullah
8. Bakshi Ghulam Mohammad
9. Khwaja Shams-ud-Din
10. Ghulam Mohammed Sadiq

Detail of Chief Ministers from 1965 to 2017 of Jammu & Kashmir

1. Ghulam Mohammed Sadiq
2. Syed Mir Qasim
3. Shiekh Mohd. Abdullah
4. Farooq Abdullah
5. Farooq Abdullah (Second Tenure)
6. Ghulam Mohammad Shah
7. Farooq Abdullah (Third Tenure)
8. Mufti Mohammad Sayeed
9. Ghulam Nabi Azad
10. Omar Abdullah
11. Mehbooba Mufti Sayeed:(The First Woman Chief Minister of J&K State)

Reference: from the book PM & CM of Jammu & Kashmir by A.K. Dewani

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APPENDIX 10

STATEMENT ISSUED BY PANDIT PREM NATH DOGRA, PRESIDENT ALL JAMMU & KASHMIR PRAJA PARISHAD ON 15TH APRIL, 1951.

Ever since Pandit Jawahar Lal Ji Nehru recently spoke at Jammu, Sheikh Mohammad Abdullah has been making speeches which are offensive, provocative and devoid of truth. These are intended to paint the Praja Parishad as a communal body. The Praja Parishad has a policy more nationalistic in outlook than that which is being followed by other National Organizations. The 10th March 1951 Resolution of the Praja Parishad and the demands since published by it clearly show its aims, policy and programme. There is absolutely nothing communal therein. The charge of communalism is belied by the past history and antecedents of the Praja Parishad.

The Praja Parishad has made it clear that it stands for accession to India, the immediate application of the Constitution of India to the State of Jammu and Kashmir and the convocation of the Elected Legislature. In accordance with the provisions of the Indian Constitution and in order to ensure the territorial integrity of the State, the continuance of Maharaja Jammu & Kashmir [i. e. the person recognised as such by the President of Indian Republic under the Indian Constitution] as the Constitutional Ruler is a political necessity.

Healthy democracy postulates freedom to advocate opinions bonafide held even though differing from those of the party in power and opportunity to persuade by all legitimate

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and peaceful methods the majority of the electorate to accept such opinion as correct. Sheikh Mohammad Abdullah and his followers are, however, out to suppress and silence all opposition, even though such conduct violates all approved democratic principles and practices and runs counter to Mahatma Gandhi
Ji's teachings.

At a time when the Government of India are facing tremendous difficulties in the U N. O. and on the international front in tackling the problem, all well wishers of the State expect them to restrain Sheikh Mohammed Abdullah and his party from making personal attacks and indulging in baseless recriminations.

My appeal to the people of the State is to remain calm and patient inspite of such provocative speeches and avoid undignified behaviour and irresponsible expression of resentment in view of the critical situation facing the State, its people and the Government of India. They should know that they are their own masters and that nothing said or done in the Security Council or Pakistan can bind them unless it is acceptable to them provided they display courage, strength, unity and statesmanship at this critical period of their history.

(Sd.) PREM NATH DOGRA
President
All Jammu & Kashmir Praja Parishad
JAMMU

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APPENDIX 11

STATEMENT ISSUED BY SH. KEDAR NATH SAHNI, GENERAL SECRETARY, BHARATIYA JANA SANGH, DELHI STATE BEFORE LEAVING JAMMU TO DEFY BAN ON HIS ENTRY INTO THE STATE BY THE GOVERNMENT OF INDIA.

Shri Sahni choses to defy ban.

The refusal of the Defence Ministry of the Government of India to issue permit to visit to take part in the Municipal elections there has put me in a difficult situation submit to this implied ban on my entry into Jammu, which is an Integral part of India for the perfectly lawful purpose of assisting my party in the election work there would be to submit to an invidious dist inactions made against Jana Sangha . I cannot understand why only Jana Sangh is singled out in the matter while workers of Congress, P. S. P Jamai –ul-Ulema and other parties are permitted to go to the state freely.

More important that is the threat to democracy and fundamental rights involved in this it is my constitution right to go anywhere the country, including Jammu und
Kashmir state for lawful of my party. By refusing me permit, the Government has infringed my fundamental right guaranteed to me in the Constitution of India, I cannot be a party to it.

To make things worse this unconstitutional step is taker to ass is national Conference, the party in power, against t Praja Parishad, the main party in the State in the Jammu municipal

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elections. To submit to this would amount submission to fascism of the worst type, As a democrat who wants democracy to live and function in this country, I am determined to assert my democratic right of carrying on election Work for my party in Jammu as elsewhere. Furthermore, I feel that to submit to this invidious ban would amount to going against the noble tradition set up by the lamented Dr. Syama Prasad Mookerji who laid down his life to assert the right of Indian citizens to move about freely in Kashmir as in any other part of India.

Interests of Kashmir also demand that should not submit to this discrimination. This situation today demands that people of Kashmir should feel complete affinity of interest with people of the rest of India. Any action or step which creates in them a feeling that their State occupies a special position gives encouragement to the separatist forces which are working in and outside the State the determent of the best interests of Kashmir and the rest of India. It is therefore, essential that the artificial distinctions being maintained between and Kashmir State and other constituent units of the rest of India are resisted and removed.

The considerations of security which are put forth as the ostensible reason for enforcing the permit system have no bear on my case. No man in his senses can think that a responsible worker of Jana Sangh will do anything which may endanger the security of India. Permit system for security reasons should apply only to foreigners. It has no justification the case of Indian citizens.

In view of these reasons have decided to defy the ban and assembly my democratic right to assist my party in Jammu ran at the risk of being arrested and detained by Kashmir Government. I feel that even my incarceration in a Kashmir jail will serve the interests of my country by creating a consciousness in my people that more is needed to be done to bring Jammu and Kashmir State in line with the rest of India.

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APPENDIX 12

STATEMENT OF PANDIT PREM NATH JI DOGRA PRESIDENT ALL JAMMU AND KASHMIR PRAJA PARISHAD JAMMU. 1956

I am pained to say that all our forbearance has not yet changed the minds of our rulers. Rule of democracy has given way to the law of Jungle and rute forces are active to curb the hard earned freedom of the poor masses. Oppression has been let loose causing great anxiety and T pause to think as to why all this is going on Love and not oppression will induce people to nearer.

The way the Municipal Election have been conducted in the Jammu city clearly shows that the present government in the state does not believe in the progress of the democratic forces within its jurisdiction with the set purpose in their mind to play foul with the people the Government appointed persons of their choice as Returning Officers who obligated their maters and did all lat lat they could do for them. The applications of the Praja Parishad candidates were illegally rejected and novice interpretation was made for plain words to serve their purpose.

The second stage was the appointment of the Presiding officers and the Polling Officers. In the case of this selection to the choice was left to the sweet will of the national conference candidates and in almost all the constituencies their relative and friends were appointed, in spite of our protects verbal and written no heed was paid, even this much not agreed that these very officers may be changed interse in these thirteen wards. The Presiding Officers were not only helps and their sympathisers but also were not openly canvassing for the

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National Conference candidate of that constituency as they were also voters of the same Constituency.

At the time of inception of the polling in some cases the Praja Parishad candidates themselves were sent out and in others sub Agents were not allowed to witness the proceedings. Neither the ballot papers were distributed according to the serial No's nor candidate of their nominees were apprised of the number of the ballot paper used. Inspite of the verbal and written application to the effect even the tick marked number on the electoral rools were not totalled to compare with the ballot papers distributed and it was done intentionally. The presiding officers in almost all the constituencies started with ballot papers hundreds in numbers distributed to the supports of the National Conference candidates to be put by them and in some cases guilty of throwing these papers. The time was extended by two hours, arbitrarily beyond the scheduled time and without the consent of the contesting parties to suit the convince of the National Conference candidates during this period many irregularities have been committed.

The unauthorised presences of the General Secretary of the National Conference who happens to be the brother of the Prime Minister in all the booths and his conveying of the secret information to them after which the polling officers in spite of our objections made themselves sit in the place where the boxes were placed gave them a further opportunity to canvass and sometimes forcibly made the voters to vote for them.

The voters who intended to vote for Praja Parishad candidates were not allowed to enter the polling candidates were not allowed to enter the polling station and the ladies were specially made to return home without casting their votes because their voter number were snatched from them and turn off y the ballot clerks and the National Conference hired Goondas. In some cases violence was also used to overawe them and o terrorise them.

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The import of thousands of refugees of the camps with ladies from places outside the limits of Jammu Municipal council was made by the National Conference intentionally with a view to use them to overawe the people and for voting for the absentee voters and it was done successfully under the very instructions of the General Secretary National Conference who practically functioned as a presiding officer in Ward no.6 where even the contesting Praja Parishad candidate and his agents were beaten after which it became impossible for him take part in election.

All the Ministers unauthorisedely in elections the polling stations and conveyed confidential instructions to the Presiding Officers to suit their candidate. Tempering with counting was the naked violation of all canons of justice for which the National conference Leaders strive to have undergone so many hardships. In case of ward no.10 when counting was going on lights were intentionally put off to achieve their ends. Besides that votes were not counted in the presence of the candidates and their signature were not obtained on the counterfoil of the last vote polled. While on recounting the votes counted for Doctor Om Parkash Mengi were found to be 103 more than the previous provisional counting which were not done in the presence of the candidates and votes of National Conference candidates were not recounted even on the request and protest of Dr. Om Parkash Mengi the contending candidate.

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APPENDIX 13

PT. JAWAHAR LAL NEHRU
HON'BLE PRIME MINISTER,
GOVERNMENT OF INDIA,
NEW DELHI.

Dated 18-12-1958

Sir,

We believe that your honour very well knows the condition in the Jammu & Kashmir State and as to how the elections are conducted in this part of India, If the opposite party wins the elections the Government adopts such measures as to undo Its effect. It is not a case only during the Assembly elections but also in the Local Bodies Panchayats that the Government and its officials take such steps that no body dare 80 stand against the party in power. In the year 1954 elections is the majority of the Town Area Committees won by Perl shad This was not tolerable to the Government & who took it upon itself to adopt such measure as to undo what a loyal and pro organisation had won by its efforts, The first onslaught ot the Government was in the dismissal of Shri Jawala Praakash Vakil Hiranagar from the chairmanship of the T.A.C. Hiranagar. There was absolutely no charge his dismissal was motivated with a malafide intention. The second causality was the suspension of the T.A.C,Kathua, Basohli and later Bishnah. No charge was levied and no explanation was sought, The committees were dissolved simply because were dominated by Praja Parishad, and though the chairman were highly educated but this fact was not looked favour and the result was as indicated above. This incident was repeated in few other committees till at last the turn of these committees to an end and elections for the area committees in the State were declared to be held in last May and June 1958. But

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since as it would appear later the Government had no plan to force of these elections they postponed them for such as to create grounds for winning the elections. The experiment adopted by the Government quarters at Ramban, Arnia Town Area Committees was uniform.

The opposition candidates were coerced and pressure was brought upon them to withdraw in favour of the party in power. Applications were illegally rejected and false voters were polled to & feat the opposition candidates. Election petitions filed even four months ago have not been heard go far no judge has been appointed to conduct these petitions Another strange dram of farce elections has been staged in Bishnah and Kathua T.A.C. elections. The unqualified under Matric Revenue Officers were appointed as Returning officers who could not appreciate the ruling of the Supreme Court Of India. Not only that the Deputy Commissioner Mr. Bharat Bhushan who has recently been selected in the I.A.S. cadre went to Bishnah within its jurisdiction and asked Mr. Ved Paul to run away because he was a proposer of Praja Parishad candidate his own brother. The District Magistrate was at once confronted and he left the station the day following. The under matric Naib Tehsildar who has been especially promoted from the post of a Patwari and exempted to appear in the departmental examination came to the rescue of the conference candidates, The applications were reject on flimsy grounds. If any Independent judge is appointed to scritnise these orders of the Returning Officer he must come to the conclusion Chat the orders are nothing but fantastic/nonsense. Similar things were related at Kathua.

At Bishnah polling the entire machinery of the Govt was harassing the voters and distributing wine and moray amongst theme Hired goondas were brought in the Town to terrorise the voters. Candidates were horrified, molested and bribed, and to suspass all even the successful candidate of Praja Parihad were not declared so. S. Bachan Singh Member of the Praja Parishad

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executive who was one of the Polling Agents in ward No. 3 protested against at and challenged the presiding Officer not to do the of the result being that next day (16-12-58) was arrested for having dared to protest, He is being tortured and molested. Even before the elections work had started Mr. Sanjhi Ram who was formerly Praja Parishad Chairman of the T.A.C. Bishnah wastried to be won over the National Conference, but he declined to do so with the result that he was detained under sec.3 of the Preventive Detention Act for the security of the State. He has not been given any grounds of detention and this Preventive detention the security of the state has become very common In the State reducing the civil liberty to a null ty and has created on impression in the mind of the people that there is absolutely no democracy in the State but they were being ruled under the POLICE RAJ Praja Parishad workers are wrongly restrained, tortured and burgle red by the police. Complete reign of terror and lawlessness has been let loose in the town.

These incidents are also shaking confidence of the people of the State in the ballot, and if these things continue the result will not be favourable for ALL OF US. I once again approach you in the fair of justice , equity and good conscience to se th11Es for yourself end to undo the mischief of those who have wrought the deed of shame in this party of the country.

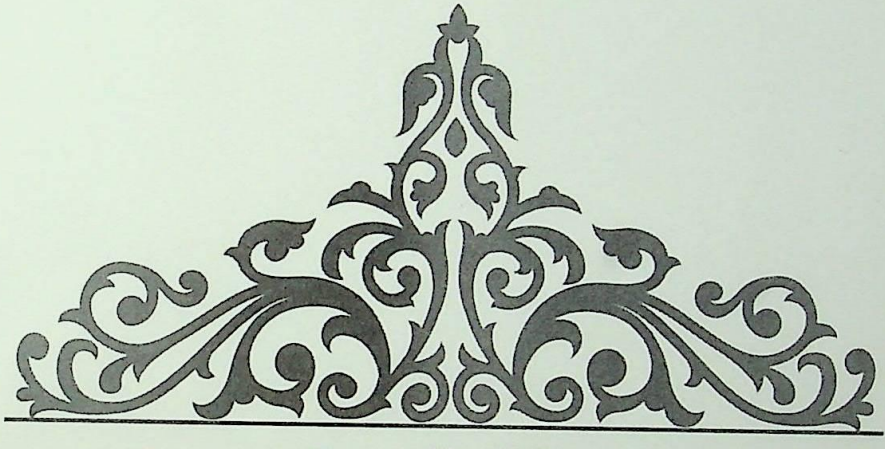
Yours faithfully,
(Prem Nath Dogra)
President,
All J&K Praja PArishad, HQ Jammu

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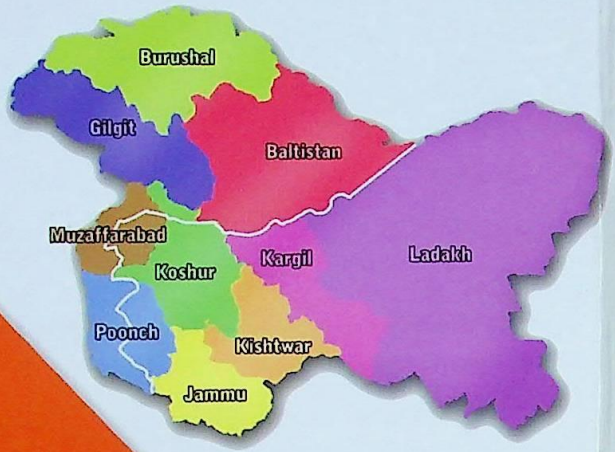
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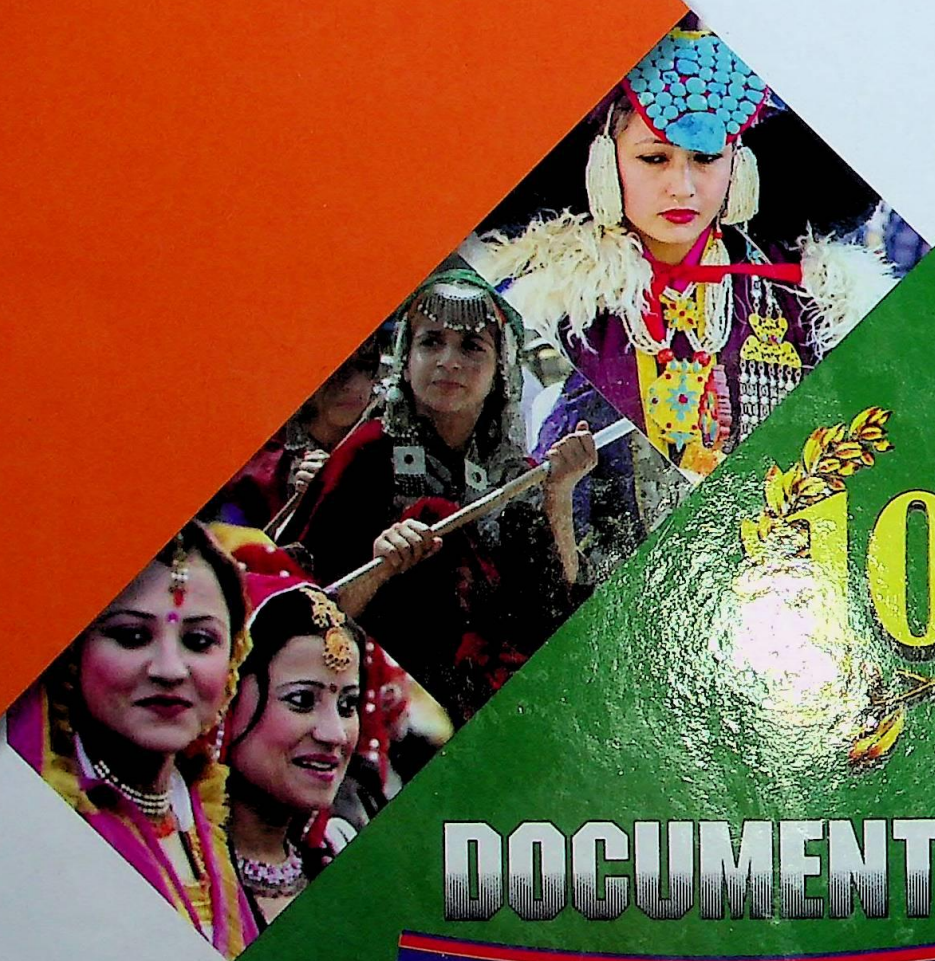
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